



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: January 17, 2019
Time: 1:00 pm
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. TOWN HALL AND QUESTIONS
4. COMMUNITY INFORMATION MEETING
none
5. PUBLIC HEARING
none
6. MINUTES
 - 6.1 Local Trust Committee Adopted Minutes, Dated July 28 & October 4, 2018 (for information) 4 - 17
 - 6.2 Section 26 Resolutions-without-meeting Report Dated January 2019
none
 - 6.3 Advisory Planning Commission Minutes
none
7. BUSINESS ARISING FROM THE MINUTES
 - 7.1 Follow-up Action List Dated January 2019 18 - 19
8. DELEGATIONS
9. CORRESPONDENCE
Correspondence received concerning current applications or projects is posted to the LTC webpage

10.	APPLICATIONS AND REFERRALS	
10.1	Mayne Island Local Trust Committee Bylaws No. 174 & 175 Referral (attached) for response	20 - 22
10.2	North Pender Island Local Trust Committee Bylaw No. 220 Referral (attached) for response	23 - 25
11.	LOCAL TRUST COMMITTEE PROJECTS	
11.1	Secondary Suite Review - Staff Report (attached)	26 - 44
11.2	Short Term Vacation Rental Review - Staff Report (attached)	45 - 46
12.	REPORTS	
12.1	Work Program Reports (attached)	
12.1.1	<u>Top Priorities Report dated January 2019</u>	47 - 47
12.1.2	<u>Projects List Report Dated January 2019</u>	48 - 48
12.2	Applications Report Dated January 2019 (attached)	49 - 50
12.3	Trustee and Local Expense Report Dated November 2018 (attached)	51 - 51
12.4	Adopted Policies and Standing Resolutions (attached)	52 - 53
12.5	Local Trust Committee Webpage	
12.6	Chair's Report	
12.7	Trustee Report	
12.8	Electoral Area Director's Report	
12.9	Islands Trust Conservation Reports Dated September & November 2018 (attached)	54 - 58
13.	NEW BUSINESS	
13.1	Protection of the Coastal Douglas Fir - Staff Report & Tool Kit (attached)	59 - 94
13.2	Unlawful Dwelling Policy - Mayne Policies & Standing Resolutions Table (attached)	95 - 96
14.	UPCOMING MEETINGS	
14.1	Next Regular Meeting Scheduled for March 7, 2019 at the Rec Center, Saturna Island	
15.	TOWN HALL	

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1)(a & d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated October 4, 2018*
- *APC Secretary*
- *Bylaw Enforcement File Update*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

Adopted



Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: October 4, 2018
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Members Present: George Grams, Chair (via Phone)
Paul Brent, Local Trustee (Acting Chair)
Lee Middleton, Local Trustee

Staff Present: Gary Richardson, Island Planner
Maple Hung, Planning Team Assistant/ Recorder

Public: There were four (4) members of the public present.

1. CALL TO ORDER

Acting Chair Brent called the meeting to order at 12:34 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Trustee Brent was nominated to be the Acting Chair.

Chair Grams attended the meeting by phone and was put on speaker.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

Add 13.4 New Business Item: Request for Funding for a First Nations Initiative.

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

John Hutchinson had questions about items 13.1 and 13.3.

Discussions confirm that item 13.1 is globally for the Islands Trust Region. The philosophy and elements for the Conservation Plan are meant to guide Saturna Island.

Discussions confirm that report 13.3 was too long and had many pages, therefore wasn't attached.

Acting Chair Brent opens the floor to the public.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated June 14, 2018 (for Adoption)

The following amendments to the minutes were presented for consideration:

Acting Chair Brent reads out a correspondence from Morgan Yates and confirms to make changes on the minutes to read: "Morgan Yates expresses satisfaction and appreciation for the secondary suites bylaw and sensitivity to areas of high density".

Trustee Middleton mentioned 11.2 Secondary Suites regarding Bylaws 222 and 223 should say Bylaws 112 and 113 instead.

It was confirmed these are the June 14, 2018 Minutes and not the July, 28, 2018 Minutes. This is due to administrative hold backs at Islands Trust.

Islands Trust Staff will send the July 28, 2018 Minutes to the Chair and Trustees by Resolution Without Meeting (RWM).

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report

None

6.3 Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated September 2018

Planner Richardson provided update on follow up report.

8. DELEGATIONS

None

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

None

10. APPLICATIONS AND REFERRALS

10.1 SA-DVP-2018.1 (Wood) - Staff Report

Planner Richardson gave an update on the variance application and the details of the accessory building (storage building).

SA-2018-047

It was Moved and Seconded,

that the Saturna LTC approves issuance of Development Variance Permit SA-DVP-2018.1 (Wood).

CARRIED

Acting Chair Brent opens the floor to the public.

John Hutchinson mentions about page 13 and wondered where “Lot 8 & 13” is.

Planner Richardson explains some of the lots were consolidated.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Secondary Suites - Staff Report

Planner Richardson directs everyone to look at the map on pg. 32 (agenda package) from the Simon Fraser University “Aquifer Vulnerability to Saltwater Intrusion - Saturna Island.” He recommends having water catchment systems in not all, but in some areas where there is a high or moderate probability of salt water intrusion. He had a resolution to direct him to re-draft bylaws 122 and 123.

Joan Combes comments about historical information 24 years ago on East Point.

SA-2018-048

It was Moved and Seconded,

that the Saturna Island Local Trust committee direct staff to prepare amendments to Proposed bylaw No. 122 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2018” and Proposed Bylaw No. 123 cited as “Saturna Island land Use Bylaw 78, 2002, Amendment No. 2, 2018” for the Local Trust Committees consideration, in order to allow secondary suites in all residences within the Saturna Island Local Trust Committee area and to require water catchment and storage systems for secondary suites in areas identified as having moderate, moderately high, and high vulnerability to saltwater intrusion, unless those areas are served by a community water system.

CARRIED

Trustee Middleton puts forward an amendment to say, “subject to the compatibility with the intensity principle of the Official Community Plan.”

Acting Chair Brent opens the floor to the public.

John Hutchinson questions about volume of the storage capacities of water catchment.

Discussions are made of the research being done and they come up with the best answer.

Joan Combes questions about issues on the amount of water being collected. Her second question asks if having a secondary suite and catchment tank requires a CRD permitted process.

11.2 Land Use Technical Review - Staff Report - Bylaw No. 119

Acting Chair Brent is happy and Trustee Middleton is satisfied in all the work and input that was done to this bylaw.

SA-2018-049

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No.119, 2018 be adopted.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated September 2018

Trustee Middleton mentions about the increase of Short Term Rentals. Add a permit process and information on Short Term Rentals. STVR Reviews should be put under projects.

Received and reviewed.

12.1.2 Projects List Report Dated September 2018

Acting Chair Brent proposes to add “Review Density Transfer Mechanisms” and replace it with “STVR Review”

Trustee Middleton mentions to replace “Amenity Zoning Review” with “Amenity Zoning and Accessible Housing Review”.

Received and reviewed.

12.2 Applications Report Dated September 2018

Received and reviewed.

12.3 Trustee and Local Expense Report July 2018

Acting Chair Brent mentions Saturna has the lowest LTC expenses.

Received and reviewed.

12.4 Adopted Policies and Standing Resolutions

Received and reviewed.

12.5 Local Trust Committee Webpage

Trustee Middleton mentions being impressed with the webpage being informative.

12.6 Chair's Report

George mentions via phone he was absent from Trust Council.

Acting Chair Brent comments on his action at Trust Council. He read a letter to abolish 33 anchorage vessels that are at the call of ports in the Salish Sea.

Potential changes are happening with the core groups of planners based on a Local Planning South Review.

12.7 Trustee Report

Acting Chair Brent mentions of having talks with a water specialist.

Trustee Middleton was absent from the last Trust Council meeting.

Discussions are made of proposed bylaw changes as there's a new term coming up.

12.8 Islands Trust Conservancy Report Dated July 2018

Acting Chair Brent gave updates about the Islands Trust Conservancy.

13. NEW BUSINESS

13.1 Islands Trust Conservancy, Incorporating the Regional Conservation Plan Into Land Use Planning - Staff Briefing (attached)

Discussions were made that this is used for guidance and information, perhaps a resource for the future.

Received for information.

13.2 Retail Cannabis Licensing - Staff Report

The process of the retail cannabis license report is made so each LTC doesn't create their own policies.

Discussions are confirmed that retail sales are part of zoning and not home occupations.

Acting Chair Brent and Trustee Middleton approved the guidelines.

SA-2018-050

It was Moved and Seconded,

that the Saturna Island Local Trust Committee adopt the standing resolution with respect to the processing of non-medical cannabis retail license applications as contained in the staff report dated September 2, 2018.

SA-2018-051

It was Moved and Seconded,

that the Saturna Island Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw to specify a separate fee for Liquor and Cannabis Regulation Branch non-medical cannabis retail license applications in the amount of \$825.00.

13.3 Housing Needs Assessment Report - Staff Report

Received for information.

13.4 Request for Funding - First Nations Initiative

Acting Chair Brent is happy about this initiative.

Dawn Wood suggests there could be a luncheon, so the translation work and dictionaries are given to the school and library.

SA-2018-052

It was Moved and Seconded,

that the Saturna Island Local Trust Committee supports the Islands Trust History Heritage and Conservation fund to pay for a portion of this initiative in the amount of \$1000.00.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for November 1, 2018, at the Recreation & Cultural Centre, Saturna Island

Discussions are made of Secondary Suites and bylaw readings being done by Resolution-without-meeting (RWM).

SA-2018-053

It was Moved and Seconded,

that the Saturna Island local Trust Committee are cancelling the November 1, 2018 meeting due to the new election of Trustees this year. A RWM will be implemented.

CARRIED

15. TOWN HALL

Acting Chair Brent opens the floor to the public.

John Hutchinson is impressed and thanks the trustees for thoroughly reading the minutes in such great detail.

Acting Chair Brent closes the public meeting at 2:07 p.m. to start the in-camera meeting.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

SA-2018-054

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a, d & i) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated March 8, 2018*
- *Legal Advice*
- *BOV Memberships*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

There was no reporting out from the In-Camera session.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:15 p.m.

Paul Brent, Trustee / Acting Chair

Certified Correct:

Maple Hung, Recorder

Adopted

Saturna Island Local Trust Committee Minutes of Special Meeting

Date: July 28, 2018
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Members Present: George Grams, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Gary Richardson, Island Planner
Sharon Lloyd-deRosario, Legislative Clerk, Recorder

Public Present: There were approximately 50 members of the public.

1. CALL TO ORDER

Chair Grams was going to be late due to ferries. In the interim, Trustee Brent was the Acting Chair and called the meeting to order at 1:00 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Addition of item 3.4.3 – Water Lease
- Addition of item 3.4.2.1 – Saturna Island Local Trust Committee Minutes Dated June 14, 2018 for Adoption

By general consent the agenda was approved as amended.

3. BUSINESS ITEMS

3.1 Community Information Meetings

3.1.1 Saturna Island Local Trust Committee Bylaw No.119

Planner Richardson, presented the item LUB Review and addressed the red-line version advising of the many technical adjustments; he then invited questions or comments from the members of the public.

John Money, mentioned about the Water Zone – property line was changed; dryland in Marine Zone, was crown land which is a housing keeping matter that can be worked on in the future to be corrected. Needs a caretaker.

Planner Richardson advised that it's too late at this point and he will look at considering at a later date and that the trustees are aware of this.

Jaques Campbell, is concerned about the campsite setbacks – 10ft setback for commercial campsites. Salt Spring Island has 15 to 30 ft. setbacks.

Planner Richardson, stated that they looked at each lot on its own merits; it's not unreasonable for this particular lot.

Jaques Campbell, asked what the general precedent is.

Planner Richardson, stated that every community is different – site specific – no precedents.

Pat Carney, asks if is there's anything in the bylaw regarding access for mobility issues.

Richard Blagbourne, is reluctant for the bylaw to proceed.

Priscilla Ewbank, more discussion is required; how many years are left on the Campground TUP?

J. Hutchinson, gave some history of issues, stating the site is commercial and requirements to supply 10 parking spots. There are heavy restrictions.

Trustee Brent opened the floor for more questions.

There were none the Community Information Meeting for Bylaw 119, was closed.

Chair Grams, arrived at the meeting at 1:25 p.m. and apologized for being late, due to ferry connections.

3.1.2 Saturna Island Local Trust Committee Bylaws No. 120 & 121

Planner Richardson, referring to his staff report advised that these bylaws allow the applicant to transfer subdivision density from one lot to another in order to facilitate the transfer of 29 densities from one lot to another. He gave the rationale for his recommendations and invited questions/comments from the public.

Pat Carney asked why these bylaws were not referred to Boot Cover Water Systems at Lyall Harbour.

Janet Land asked why it was not referred to Pat Laplavic at FLNRO.

Trustee Middleton stated that at Trust Council they discussed an issue that MOTI approves subdivision based on demonstration of potable water which mandates drilling of wells or installation of groundwater fed water systems.

Priscilla Ewbanks commented that there has been limited information prior to a Public Hearing and asked how she could get more information.

Chair Grams responded that is the purpose of this Community information session, was to ask question prior to the Public Hearing.

Chair Grams asked for any more comments.

There was none and the Community Information meeting for bylaws 120 & 121 was closed.

3.1.3 Saturna Island Local Trust Committee Bylaws No. 122 & 123

Planner Richardson showed some graphics and explained the purpose of the bylaws is to allow for secondary suites in most areas that permit residences on the island. Reviewing the referral responses he stated that Pat Lapsevic, FLRNO suggests that secondary suites should not be permitted in areas with salt water intrusion; he suggested rewriting the bylaws to address this.

Janet Land asked why the public submissions from 4 years ago were not given to the trustees, and asked why wasn't the map utilized?

Trustees confirmed that they were familiar with the submissions.

Chair Grams asked for further comments; hearing none he closed the Community Information meeting for bylaws 122 and 123.

Chair Grams recessed the meeting for a break at 2:20 pm and reconvened the meeting at 2:45 pm.

3.2 **Public Hearings**

3.2.1 Recess for Public Hearings

See separate Public Hearing Record of same date.

3.2.1.1 Saturna Island Local Trust Committee Bylaw No. 119

See separate Public Hearing Record of same date.

3.2.1.2 Saturna Island Local Trust Committee Bylaws No. 120 & 121

See separate Public Hearing Record of same date.

3.2.1.3 Saturna Island Local Trust Committee Bylaws No. 122 & 123

See separate Public Hearing Record of same date.

3.2.2 Recall to Order

Chair Grams called the Local Trust Committee meeting back to order at 3:54 p.m.

At this time there were seven (7) members of the public in attendance.

3.3 Applications and Referrals

3.3.1 SA-RZ-2018.1 (Hall/Crooks) - Staff Memo & Bylaws No. 120 &121

Planner Richardson presented his staff report with a brief overview on the purpose of the bylaws, background and suggested recommendations.

SA-2018-031

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 120 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No. 1, 2018" be read a Second time.

CARRIED

SA-2018-032

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 120 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No. 1, 2018" be read a Third time.

CARRIED

SA-2018-033

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 120 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No. 1, 2018" be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

SA-2018-034

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 120 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No. 1, 2018" be forwarded to the Minister of Municipal Affairs and Housing for approval.

CARRIED

SA-2018-035

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 121 cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2018" be read a Second time.

CARRIED

SA-2018-036

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 121

cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2018" be read a Third time.

CARRIED

SA-2018-037

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 121 cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2018" be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

3.4 Local Trust Committee Projects

3.4.1 Land Use Bylaw Review - Staff Memo & Bylaw No. 119

Planner Richardson referenced his staff report giving some background information and suggested recommendations.

SA-2018-038

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 119. 2018, be read a Second time.

The trustees had a friendly amendment to make before the resolution was passed as follows:

SA-2018-039

It was Moved and Seconded

that the Saturna Island Local Trust Committee Proposed Bylaw No. 119. 2018, be amended by revising section 15.4 to read: minimum of 15 ft. from any lot line.

CARRIED

SA-2018-040

It was Moved and Seconded

that the Saturna Island Local Trust Committee Proposed Bylaw No. 119. 2018, as amended in resolution SA-2018-039, be read a Second time.

CARRIED

3.4.2 Secondary Suites - Staff Memo & Bylaws No. 122 & 123

Planner Richardson reviewed the staff report summarizing the purpose, background information and suggested recommendations.

SA-2018-041

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 122 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No.2, 2018" be read a Second time.

CARRIED

SA-2018-042

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 122 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No.2, 2018" be read a Third time.

CARRIED

SA-2018-043

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 122 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No.2, 2018" be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

SA-2018-044

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Proposed Bylaw No. 122 cited as "Saturna Island Official Community Plan Bylaw 70, 2000, Amendment No.2, 2018" be forwarded to the Minister of Municipal Affairs and Housing for Approval.

CARRIED

3.4.2.1 Saturna Island Local Trust Committee Minutes Dated June 14, 2018 for Adoption

SA-2018-045

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Draft minutes dated June 14, 2018, be Adopted as presented.

CARRIED

3.4.3 Water Lease

SA-2018-046

It was Moved and Seconded,

that the Saturna Island Local Trust Committee, as the Islands Trust representatives of the Saturna Island community, we oppose the lease of the water lot at Lyall Harbour, Saturna Island, Lands File Number 0196957, to the Capital Regional District, until such time as the agreement, nearing final completion, for the transfer of Riparian Rights from the upland owner to the Capital Regional District, is consummated, and that the Capital Regional District and associated parties provide accurate, equitable and forthright information to the upland owners in the process of finalizing the agreement.

CARRIED

3.5 Trust Programs Committee, Services Integration - Staff Briefing

Received by the Local Trust Committee.

4. ADJOURNMENT

By general consent the meeting was adjourned at 4:40 p.m.

George Grams, Chair

Certified Correct:

Sharon Lloyd-deRosario, Recorder

Follow Up Action Report

Saturna Island

04-Oct-2018

Activity	Responsibility	Target Date	Status
Minutes of June 14, 2018 adopted as amended.	Maple Hung		Done
SA-DVP-2018.1 (Wood) - issued as drafted.	Sharon Lloyd-deRosario		Done
Secondary Suites - proposed bylaws 122 and 123 - staff directed to prepare amended bylaws.	Gary Richardson		Done
Proposed Bylaw 119 - adopted as presented.	Sharon Lloyd-deRosario		Done
Retail Cannabis Licensing 1) policy adopted as drafted 2) application fees to remain at \$825.00 3) add policy to list	Robert Kojima		Done
Next Meeting (Nov 1) cancelled. Website and notice boards to be updated.	Maple Hung		Done
Saturna Island Work Program Top Priorities 1. Remove LUB Technical Review 2. Add Park Zoning	Gary Richardson Robert Kojima		Done
LTC work program project list. 1. Remove Review Density Transfer Mechanisms 2. Add to Amenity Zoning - Accessible Housing Review 3. Add STVR Review	Gary Richardson		Done
Review Standing Policies to determine if any need to be amended/removed and provide report to next LTC meeting.	Gary Richardson		On Going

Follow Up Action Report

First Nation Project - staff to prepare mapping and amendment for OCP.	Gary Richardson	On Going
Staff to contact BOV members to see if they want to remain on the Board and advertise for new ones if required.	Sharon Lloyd-deRosario	On Going
LTC endorses \$1000.00 for First Nation Dictionary initiative, an application to EC is required.	Gary Richardson Robert Kojima	Done
"Housing Needs Report" to be placed on Saturna LTC webpage.	Robert Kojima	Done
March 8, 2018 in Camera minutes adopted as drafted.	Maple Hung	Done



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Mayne Island Local Trust Area **Bylaw No.:** 174 & 175 **Date:** December 19, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Initiated By the Mayne Island Local Trust Committee

PURPOSE OF BYLAW:

These amendments define a commercial core for Miners Bay, give property owners in the Miners Bay core that are to be zoned C1(a) the ability to use their property for commercial use, residential use, or both, and gives some direction to what types of commercial activity may be carried on outside of the Miners Bay commercial core. The draft bylaws clarify wording and zone titles. In some cases the draft bylaws give a broader range of permitted uses for existing commercial properties outside of the Miners Bay commercial core. The properties that are zoned Settlement Residential (SR) in the commercial core will have to apply for a rezoning to carry out commercial uses consistent with proposed new policies in the OCP. The amendments also: potentially allow increased residential use in the Miners Bay commercial core; permit small sampling/tasting rooms for items produced as part of a home occupation; amend and in some cases add development permit designations; and in one case removes the industrial zoning from a small portion of an otherwise commercially zoned lot.

Professional reports and staff reports are available on the Mayne Island webpage:

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

various

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Gary Richardson

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Public Safety and Solicitor General – Liquor Control and Licensing Branch
Ministry of Transportation & Infrastructure

Non-Agency Referrals

Village Point Improvement District

Regional Agencies

Capital Regional District – Building Inspection
Island Health

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
Salt Spring Island Local Trust Committee
South Pender Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexs Treaty Association
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

174 & 175

(Bylaw Number(s))

(Signature)

(Name and Title)

(Date)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: North Pender Island Local Trust Area **Bylaw No.:** 220 **Date:** December 19, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Shaw Communications Inc. c/o Westbrook Consulting Ltd.

PURPOSE OF BYLAW:

The purpose of **Bylaw 220** is to amend the North Pender Island Land Use Bylaw to rezone portion of THAT PART of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a Boundary Parallel to and Perpendicularly Distant 260 feet from the Easterly Boundary from **Commercial 1 (e) – C1 (e)** to a site specific **Community Service (p) - CS (p)** zone to permit the Shaw Communications service facility and yard. The only use permitted in the zone is the housing of equipment for the supply and distribution of telecommunications and cable service as a regulated service utility, not to include retail or office uses.

Professional reports and staff reports are available on the North Pender island webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/current-applications/current-application-documents/>

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

Portion of THAT PART of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a Boundary Parallel to and Perpendicularly Distant 260 feet from the Easterly Boundary

SIZE OF PROPERTY AFFECTED:

0.074 ha (0.18 acres)

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

C- Commercial

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Phil Testemale

Title: Planner
Contact Info: Tel: 250-405-5170
Email: ptestemale@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

BC Assessment Authority
Ministry of Transportation & Infrastructure

Non-Agency Referrals

Islands Trust Conservancy
Islands Trust – Bylaw Enforcement

Regional Agencies

Capital Regional District – Electoral Area Director
Capital Regional District – Building Inspection
Island Health
North Pender Island Fire Rescue

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee

First Nations

N/A

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

220

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

File No.: 6500-20-Secondary Suite
Review

DATE OF MEETING: January 17, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
SUBJECT: Secondary Suite Review
Location: Saturna Island Local Trust Area

RECOMMENDATION

1. That Saturna Island Local Trust Committee Draft Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be read a first time.
2. That Saturna Island Local Trust Committee Draft Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a first time.
3. That the Saturna Island Local Trust Committee directs staff to schedule a public hearing for Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” and Bylaw No. 125 cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No.1, 2018”
4. That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” and Bylaw No. 125 cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” are not contrary or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

This report has been prepared to further advance the Saturna Local Trust Committee's work program priority to implement secondary suites within residences in the Saturna Island Local Trust Area. Previous reports and bylaws have been prepared (122 - OCP and 123 – LUB) and a public hearing has been held. As a result of referral comments received from Pat Lapcevic, Section Head of Water Protection at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNR), and direction given by the LTC, regarding aquifer vulnerability to saltwater intrusion new draft bylaws have been prepared (124 – OCP and 125 - LUB). This report recommends that bylaws 124 and 125 receive first reading and proceed to a community information meeting and public hearing.

BACKGROUND

This issue was identified as a Work Program Priority by Resolution-Without-Meeting November 22, 2017.

A project charter was endorsed March 8, 2018.

The LTC passed the following resolutions at its April 27, 2018 LTC Meeting:

SA-2018-017

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee request staff to prepare a draft bylaw to amend Saturna Island Official Community Plan Bylaw No. 70, 2000 to allow secondary suites within residences, within the Saturna Island Local Trust Area.

SA-2018-018

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee request staff prepare a draft bylaw to amend Saturna Island Land Use Bylaw No 78, 2002 to allow secondary suites within residences, within the Saturna Island Local Trust Area.

The LTC passed the following resolutions at its June 14, 2018 LTC Meeting:

SA-2018-027

It was Moved and Seconded,

That Saturna Island Local Trust Committee Draft Bylaw No. 122 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.2, 2018” be read a First time.

SA-2018-028

It was Moved and Seconded,

That Saturna Island Local Trust Committee Draft Bylaw No. 123 cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No.2, 2018” be read a First time.

SA-2018-029

It was Moved and Seconded,

That the Saturna Island Local Trust Committee directs staff to schedule a public hearing for Bylaw No. 122 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.2, 2018” and Bylaw No. 123 cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No.2, 2018.”

SA-2018-030

It was Moved and Seconded,

That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 122 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.2, 2018” and Bylaw No. 123 cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No.2, 2018” are not contrary or at variance with the Islands Trust Policy Statement.

The LTC passed the following resolution at its October 4, 2018 LTC Meeting:

SA-2018-048

It was Moved and Seconded,

that the Saturna Island Local Trust committee direct staff to prepare amendments to Proposed bylaw No. 122 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2018” and Proposed Bylaw No. 123 cited as “Saturna Island land Use Bylaw 78, 2002, Amendment No. 2, 2018” for the Local Trust Committees consideration, in order to allow secondary suites in all residences within the Saturna Island Local Trust

Committee area and to require water catchment and storage systems for secondary suites in areas identified as having moderate, moderately high, and high vulnerability to saltwater intrusion, unless those areas are served by a community water system.

At the October 4, 2018 LTC meeting Trustee Middleton put forward an amendment to say, “subject to the compatibility with the intensity principle of the Official Community Plan.”

Consultation

A community information is recommended as part of the bylaw review process for these new bylaws.

The public hearing notice for these new bylaws will be posted in the newspaper, website, mailed and hand delivered to surrounding property owners, and posted on notice boards as per statutory requirements in advance of the public hearing.

As the new bylaws are proposing to implement the same use in a more restrictive manner than was being proposed in the previous bylaws it is recommended that the bylaws not be referred to agencies and First Nations. The new bylaws address the only substantive comments received as a result of the previous referral comments received from Pat Lapcevic, Section Head of Water Protection, FLNR.

The following agencies and First Nations were referred the previous draft bylaws 122 and 123 for comment.

- Ministry of Transportation and Infrastructure
- Island Health
- FLNR – Pat Lapcevic
- Agricultural Land Commission
- CRD, Building Inspection Services
- North Pender Island Local Trust Committee
- South Pender Island Local Trust Committee
- Mayne Island Local Trust Committee
- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation

- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- Lyackson First Nation
- Malahat First Nation

Issues and Opportunities

1. Oct 4, 2018 SALTC resolution.

The Oct 4, 2018 resolution referenced above requested bylaws 122 and 123 to be amended to require water catchment and storage systems for secondary suites in areas identified as having moderate, moderately high, and high vulnerability to saltwater intrusion, unless those areas are served by a community water system.

Staff contacted Pat Lapcevic to discuss this proposed amendment and was advised that it would not satisfy the concerns expressed in the Ministry's referral comments.

2. Referral Comments from Pat Lapcevic, Section Head, FLNR, -July 19, 2018.

As a result of the referral comments received from Pat Lapcevic and subsequent discussions with Pat Lapcevic staff has drafted bylaws 124 and 125 to exclude areas shown on mapping titled "Aquifer Vulnerability to Saltwater Intrusion – Saturna Island" as being in the moderate, moderately high, and high classifications. This amendment satisfies the concerns expressed in Pat Lapcevic's referral comments.

If the LTC directs staff to determine the appropriateness of allowing secondary suites in more areas of the island that are identified as having a moderate to high vulnerability to saltwater intrusion it is recommended that staff, including the Islands Trust Fresh Water Specialist, discuss this matter with staff from FLNR further. If more areas suitable for secondary suites are identified those areas can be included in the mapping associated with draft bylaw 125 that identifies where secondary suites are permitted prior to the public hearing.

3. Trustee Lee's-Middleton's request that secondary suites comply with the intensity principle of the OCP.

Staff identified policy C.2.2 (d) as a relevant policy with respect to this request.

"C.2.2 In considering permits, referrals, applications and bylaw amendments, the Saturna Island Local Trust Committee should use all available means within its direct jurisdiction to ensure the preservation and protection of the Area's diverse natural environment by:

d) basing land use decisions on the inherent capability of land and water areas to accommodate the type, scale and intensity of proposed land uses..."

This policy was considered when drafting bylaws 123 and 124 and at that time it was determined that no conflict existed between what was being proposed and this policy.

Draft bylaws 124 and 125 further address this policy by removing areas with moderate to high vulnerability to saltwater intrusion.

4. Community Water Systems

Staff has identified the Lyall Harbour Boot Cove water system (CRD) as an area that can allow secondary suites as the area is not dependant on groundwater. There are other small systems on the Island; however there is no certainty that small systems not run by a government agency will be maintained in the future so they were not identified in the mapping associated with draft bylaw 125.

Rationale for Recommendation

- Staff is recommending secondary suites be permitted in zones that are not in the moderate to high aquifer vulnerability classification that permit a residence and that one suite be permitted per residence. This seems reasonable as zones permitting multiple residences are large lots which would minimize the impact of each dwelling having a secondary suite.
- Secondary suites should not have a floor area larger than 90 m² (968 ft²), be on the ground floor of a building, and have a separate entrance to the outside. This is to be consistent with the BC ~~b~~Building ~~e~~Code.
- Permitting secondary suites on all areas of the island that don't have aquifer vulnerability to saltwater intrusion will allow property owners and the market to determine where suites will be constructed. This gives flexibility and opportunity for many residential land owners to have equal opportunity to construct a suite.
- Due to the small size of the secondary suites and due to them being constructed within the footprint of an existing dwelling they should not impact the aesthetic, environmental and social balance on the island beyond what an existing residence would do.
- Allowing secondary suites could assist the community in addressing its perceived housing diversity and affordability issues.
- The housing can be created without public expenditures or the involvement of community organizations.
- Experience on other islands that have permitted secondary suites is that the uptake on the building of suites is very slow and gradual.
- The general manager planning and protective services at the Capital Regional District has confirmed to Islands Trust staff that the CRD will not issue a building permit for a secondary suite without it meeting all requirements of servicing. Confirmation that there is capacity in both the water supply and sewer

system is required before a building permit is issued. If the LTC permits secondary suites in zoning, they will still need to be approved through the building permit process.

ALTERNATIVES

1. Request amendments

LTC can request bylaws to be amended prior to proceeding.

2. Proceed No Further

If the LTC determines that these bylaws should not proceed a resolution to proceed no further should be passed.

NEXT STEPS

- 1) Schedule a CIM
- 2) Refer Draft Bylaws to Pat Lapsevic, FLNR
- 3) Schedule a Public Hearing

Submitted By:	Gary Richardson, Island Planner	January 10, 2019
Concurrence:	Robert Kojima, RPM	January 10, 2019

ATTACHMENTS

1. Draft Bylaw 124
2. Draft Bylaw 125
3. Policy Statement Checklist
4. Referral Comments, Pat Lapcevic, FLNR

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 124**

**A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 70, 2000**

The Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2018".

2. SCHEDULES

Saturna Island Official Community Plan No. 70, 2000, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS
_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 124**

SCHEDULE 1

The Saturna Island Official Community Plan No. 70, 2000, is amended as follows:

1. Amending subsection C.1.3 by inserting the following as the last sentence in the subsection: "Secondary suites are not considered as residential density for the purposes of calculating overall residential density within the Saturna Island Local Trust Area."
2. Amending section D.1 Rural by adding a new section j) immediately following section i) as follows:

"j) Secondary suites may be permitted in designations that permit residential use."
3. Amending subsection D.1.R Rural Residential by adding a new article D.1.R.7 immediately following article D.1.R.6 as follows:

"D.1.R.7 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."
4. Amending subsection D.1.G Rural General by adding a new article D.1.G.6 immediately following article D.1.G.5 as follows:

"D.1.G.6 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."
5. Amending subsection D.1.C Rural Comprehensive by adding a new article D.1.C.5 immediately following article D.1.C.4 as follows:

"D.1.C.5 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."
6. Amending section D.2 Farmland by adding a new subsection D.2.10 immediately following subsection D.2.9 as follows and renumbering the remaining subsections accordingly:

"D.2.10 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence."
7. Amending section D.4 Forest by adding a new subsection D.4.14 immediately following subsection D.4.13 as follows and renumbering the remaining sections accordingly:

“D.4.14 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.”

8. Amending section D.4 Forest by adding a new subsection D.4.20 immediately following subsection D.4.19 as follows and renumbering the remaining subsections accordingly:

“D.4.20 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence on Forest Residential zoned land.”

9. Amending section D.5 Heritage Forest by adding a new subsection D.5.6 immediately following subsection D.5.5 as follows:

“D.5.6 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.”

10. Amending section D.6 Wilderness Reserve by adding a new subsection D.6.5 immediately following subsection D.6.4 as follows and renumbering the remaining sections accordingly:

11. “D.6.5 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.”

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 125**

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW 78, 2002

The Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Saturna Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw 119, 2018, Amendment No. 1, 2018”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw 119, 2018,” is amended as follows:

1. Part 2 General Regulations is amended by inserting the following as a new section 2.18:

“2.18 Secondary Suites

- (1) The secondary suite must be contained within the walls of the building that contains the principal residence.
- (2) The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the principal residence.
- (3) A building permit shall not be issued for a secondary suite until the building is serviced by an adequate supply of potable water.
- (4) The floor area of the secondary suite shall not exceed 90 m² (968 ft²) nor shall it exceed 40 per cent of the floor area of the principal residence. A secondary suite must not be subdivided from the principal residence under the Land Title Act or the Strata Property Act.
- (5) Secondary suites are not permitted in the areas identified as having moderate to high aquifer vulnerability depicted on Schedule D.”

2. By adding a new subsection immediately following subsection 4.1.4 as follows:

“ 4.1.5 One *secondary suite* is permitted per *residence* subject to section 2.18.” and renumbering the following sections accordingly;

3. By adding a new subsection immediately following subsection 4.2.6 as follows:

“ 4.2.7 One *secondary suite* is permitted per *residence* subject to section 2.18.” and renumbering the following sections accordingly;

4. By adding a new subsection immediately following subsection 4.4.4 as follows:
 “ 4.4.5 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
5. By adding a new subsection immediately following subsection 7.1.~~3~~2 as follows:
 “ 7.1.~~3~~2 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
6. By adding a new subsection immediately following subsection 7.3.4 as follows:
 “ 7.3.5 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
7. By adding a new subsection immediately following subsection 9.2.4 as follows:
 “ 9.2.5 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
8. By adding a new subsection immediately following subsection 9.3.6 as follows:
 “ 9.3.7 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
9. By adding a new subsection immediately following subsection 10.1.3 as follows:
 “10.1.4 One *secondary suite* is permitted per *residence* subject to section 2.18.”
 and renumbering the following sections accordingly;
10. By adding a new parking requirement “k” to Part 14, Table 1: Off street parking requirements, following “(j)” as follows:

Table 1: Off street parking requirements		
	Use	Minimum Number of Off street parking Spaces Required
(k)	Secondary Suite	1 per secondary suite

11. By adding a new definition to Part 15. Interpretation immediately after subsection 15.1.40 as follows:
 “15.1.41 “**secondary suite**” means an accessory, self-contained residential unit, located within a building that otherwise contains a residential unit, and having a lesser floor area than the principal residential unit.”;
 and renumbering the following sections accordingly.
12. By adding a new ‘Schedule D’ immediately following ‘Schedule C’ as shown on Plan No. 1 which is attached to this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

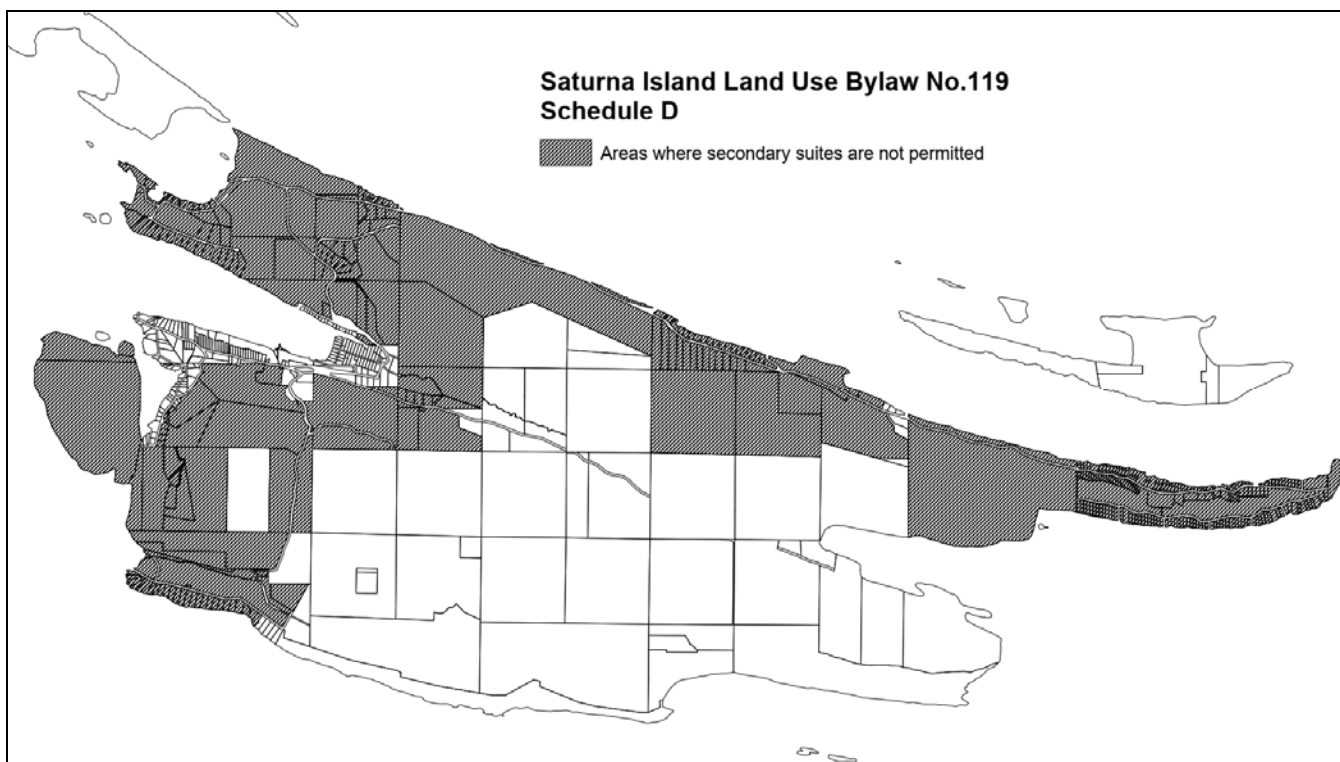
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 125**

Plan No. 1





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaws 124 & 125 and File No: 6500-20-Secondary Suite Review

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
n/a	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
n/a	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

BYLAW REFERRAL FORM

RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☒ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reasons Outlined Below

- (1) Part 2 (3): We would suggest clarifying the statement "an adequate supply of potable water". For example if a property owner was using rainwater catchment as their primary source of potable water and could demonstrate that their supply is adequate for the secondary suite, then perhaps the restriction in Schedule D could be waived? This would be in line with best practices as outlined in https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/water-wells/saltwaterintrusion_factsheet_flnro_web.pdf
- (2) Part 2 (5): We suggest that consideration be made to change Schedule D. It is assumed that secondary suites result in an increase in the total groundwater usage on a given lot. Recent work completed by Simon Fraser University and ourselves recognizes that risk of saltwater intrusion is higher in areas of high well density and where groundwater pumping rates are higher. To assist with assessment of risk within different areas, specifically we suggest that information on "Aquifer Vulnerability to Saltwater Intrusion" available as a provincial data layer on iMapBC and in the 2016 report by J. Klassen and D. Allen, Risk of Saltwater Intrusion in Coastal Bedrock Aquifers: Gulf Islands, BC <http://a100.gov.bc.ca/pub/acat/public/viewReport.do?reportId=50332> form the basis of restricting secondary suites. We would recommend that secondary suites not be permitted in all areas that have been identified as being at Moderate, Moderately High or High vulnerability to saltwater intrusion. I have attached a map for information only.

Saturna Island Local Trust Area	122 & 123
(Island)	(Bylaw Number)
Pat Lapcevic <i>P. Lapcevic</i>	Section Head, Water Protection West Coast Region
(Signature)	(Title)
July 19, 2018	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
(Date)	(Agency)

File No.: 6500-20- STVR Review

DATE OF MEETING: January 17, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
SUBJECT: STVR - Review
Location: Saturna Island Local Trust Area

RECOMMENDATION

1. That Saturna Island Local Trust Committee endorse the project charter, regarding the review of temporary use permit guidelines for short term vacation rentals, dated January 2019.

REPORT SUMMARY

The purpose of this report is to present the Saturna LTC with project charter that will advance a current project priority regarding implementation of TUP guidelines for STVRs.

BACKGROUND

This issue was identified as a Work Program Priority by Resolution-Without-Meeting January 2019.

STVRs are currently a permitted use in residential zones under only limited circumstances. The issuance of TUPS is permitted now within the OCP for the Saturna Island Local Trust Area; however there are no specific guidelines regarding conditions that should be contained in TUPs for STVRs.

ALTERNATIVES

1. Request amendments

LTC can request project charter to be amended prior to proceeding.

NEXT STEPS

- 1) Staff to prepare a report for March 7, 2019 LTC Meeting.
- 2) Schedule a CIM

Submitted By:	Gary Richardson, Island Planner	January 11, 2019
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ATTACHMENTS

1. Project Charter

Short Term Vacation Rental - Charter v1 January 16, 2019

Saturna Island Local Trust Committee

Purpose The purpose of this project is to prepare a list of Temporary Use Permit guidelines for the LTC to consider incorporating into the Saturna Island OCP to guide the consideration of TUPs for STVRs and would include conditions to be incorporated into TUPs for STVRs.

Background This project was identified as a Work Program Priority by the LTC in January of 2019. STVRs are currently a permitted use in residential zones under only limited circumstances. The issuance of TUPS is permitted now within the OCP for the Saturna Island Local Trust Area; however there are no specific guidelines regarding conditions that should be contained in TUPs for STVRs.

Objectives

- Create a list of guidelines relating to the issuance of TUPs for STVRs to be incorporated into the Saturna Island OCP.

In Scope

- Review STVR policies, guidelines, from other LTCs and jurisdictions
- Prepare OCP amendments for the LTCs consideration
- Community Information Meeting and Public Hearing

Out of Scope

- Unrelated OCP and LUB amendments
- Additional or extra-ordinary community consultation

Workplan Overview

Deliverable/Milestone	Date
Project Charter endorsed	January 17, 201
Staff Report	March 7, 2019
Draft Bylaws Prepared for LTC consideration	May 9, 2019
Community Information Meeting and referral of draft bylaws to First Nations and Agencies	June 2019
Staff report regarding revisions as a result of CIM and referrals	July 18, 2019
Commencement of Legislative process to amend OCP and LUB	July 2018

Project Team

Gary Richardson	Project Manager
Sharon Lloyd-deRosario, Maple Hung	Admin Support
Jackie O'Niel	GIS

RPM Approval:
Robert Kojima
Date:

LTC Endorsement:
Resolution #:
Date:

Budget

Budget Source:

Fiscal	Item	Cost
2019/20	CIM	500.00
2019/20	Legislative Process	1500.00
2019/20	Contingency	500.00
	Total	2500.00 ⁴⁶

Top Priorities

Saturna Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	First Nations Relationship Building	Review of OCP to include references to First Nations.	16-Sep-2016	Gary Richardson	
2	Secondary Suite Review	Prepare amended draft bylaws 124 and 125 for LTCs consideration at Jan 17, 2019 LTC Meeting	22-Nov-2017	Gary Richardson	17-Jan-2019
3	Short Term Vacation Rentals - TUP Guidelines	Prepare project charter for January 17, 2019 LTC Mtg.	08-Jan-2019	Gary Richardson	



Projects

Saturna Island

Description	Activity	R/Initiated
Shoreline Review		17-Jun-2016
Amenity Zoning and Accessible Housing Review		04-Oct-2018
National Park Zoning		04-Oct-2018



Islands Trust

Print Date: January 11, 2019

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2018.1	Ronald Hall & Saturna Garage and Contracting Planner: Gary Richardson	15-Jan-2018	To amend zoning of two properties.
Planning Status			
Status Date: 18-Oct-2018 Adoption on hold pending direction from applicant to proceed with consideration			
Status Date: 23-Sep-2018 Bylaws approved by executive committee.			
Status Date: 23-Sep-2018 Bylaws forwarded to Minister Sept 25.			

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2017.1	RONALD H HALL Planner: Gary Richardson	22-Nov-2017	Subdivision to create a new parcel.
Planning Status			
Status Date: 06-Apr-2018 Staff sent response to MoTI March 12, 2018			
Status Date: 04-Dec-2017 Fees received, LTC notified - new application/referral.			
Status Date: 29-Nov-2017 Received application, sent subdivision fee request.			
File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.1	RONALD HALL Planner: Gary Richardson	01-Feb-2018	Create one lot with one remainder.

Applications

Planning Status

Status Date: 06-Apr-2018

Staff sent response to MoTI April 4, 2018.

Status Date: 15-Feb-2018

Fees received, notified LTC, gave file to Planner.

Status Date: 01-Feb-2018

opened file, sent fee request to applicant. RPM to assign planner.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.2	JORDAN ELLIOT LITKE c/o POLARIS LAND SURVEYING	06-Jun-2018	105 Payne Road - Proposed 2-lot conventional boundary adjustment subdivision with 187 East Point Road (see SA-SUB-2015.2)
Planner: Gary Richardson			

Planning Status

Status Date: 30-Oct-2018

Review response sent to MoTI Oct 30, 2018

Status Date: 23-Jul-2018

Emailed scanned letter, receipt and cheque to Applicant, mailed originals; emailed Subd Ref Review application to LTC cc Planner and MoTI. Gave folder to Planner.

Status Date: 15-Jun-2018

Prepared and emailed letter with Subdivision Referral Review form and application package to Applicant, cc LTC, Planner and MoTI; mailed original letter and application form.

Islands Trust
 LTC EXP SUMMARY REPORT F2019
 Invoices posted to Month ending November 2018

660 Saturna	Invoices posted to Month ending November 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	2,500.00	0.00	2,500.00
65210-660	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-660	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-660	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,750.00</u>	<u>0.00</u>	<u>3,750.00</u>
Projects				
73001-660-4032	Saturna Secondary Suite Review	2,000.00	905.40	1,094.60
73001-660-4069	Saturna LUB Technical Review	1,500.00	1,546.70	-46.70
73001-660-4077	Saturna First Nations Relations	4,000.00	1,713.28	2,286.72
TOTAL Project Expenses		<u>7,500.00</u>	<u>4,165.38</u>	<u>3,334.62</u>

Saturna Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 16/07	SA-LTC-16-07	Travel Trailer or Camper	It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: The travel trailer or camper is being used for recreational purposes by the owners of the lot and; The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: The travel trailer or camper is being used as a second residence or; The trailer or camper is situated within the setbacks for a structure or; There are serious safety issues, unsightliness, noise, or health problems related to the use or; A complaint based on the above three items is received from a person who owns neighboring property. Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.
2.	August 20/08	SA-LTC-43-08	Bylaw Enforcement: Short Term Vacation Rentals	It was Moved and Seconded THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement: 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; - More than one STVR per constructed residence on the lot is simultaneously made available for STVR; 4. While the property is rented persons are also staying in tents, trailers, or RV's; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR;

				7. The owner of the property uses more than one property on Saturna Island as an unpermitted STVR. And THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.
3.	February 25/09	SA-LTC-09-09	Adopt LTC Minutes by RWM	It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.
4.	June 22/11	SA-LTC-	Adopting In Camera Minutes	It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.
5.	February 9/12	SA-LTC-11-12	Adopt SOL policy	It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion Licence referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning staff may approve the Special Occasion Licence without referral to the Local Trust Committee. All other Special Occasion Licence referrals are to be referred to the Local Trust Committee for consideration



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality September 2018

Islands Trust Conservancy Staff Changes

Kate Emmings stepped into the role of acting Manager for the Islands Trust Conservancy, filling in for Jennifer Eliason, who is on a temporary assignment with BC Parks until the end of March 2019. Nuala Murphy stepped into the role of acting Ecosystem Protection Specialist, backfilling for Kate Emmings until the end of February 2019. The role of Property Management Specialist is currently vacant and will hopefully be filled by the end of the year. ITC administrative assistant Corlynn Strachan took a temporary assignment with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development; filling in for her until April 2019 is Alexandra Trifonidis.

New Islands Trust Conservancy Board Member

The Islands Trust Conservancy (ITC) board is thrilled to welcome Linda Adams, former Islands Trust Chief Administrative Officer, as a newly appointed board member. Appointed members are selected by the Crown Agency and Board Resourcing Office.

2018-2019 Budget Request

The ITC board considered a business case for ITC staffing and recommended to the Islands Trust Council that the 2019-2020 budget include funding for one new auxiliary Covenant Monitoring and Outreach Specialist position and that financial planning for the 2020-2021 budget include a vision for a new fundraising position.

Approval of Lasqueti Islands Nature Conservancy (LINC) Opportunity Fund Grant

The ITC board awarded a \$4,500 Opportunity Fund grant to LINC for a matching fundraising campaign for the purchase of Salish View on Lasqueti Island. The campaign is set to close in December and approximately \$90,000 is required to complete the protection of 11.61 ha of Coastal Douglas-fir forest.

Regional Conservation Plan Reporting

The ITC board discussed ways to communicate the Regional Conservation Plan to local trust committees, Executive Committee and the Trust Council after the October 2018 election.

New Name: Islands Trust Conservancy

ITC staff provided a verbal update about the Islands Trust Conservancy name change. The new website is active at www.islandstrustconservancy.ca and staff are updating print publications.

Summary of Current Island-by-Island Activities

The ITC board reviewed information and approved the annual covenant and nature reserve monitoring reports.

Denman

Staff finalized the revised management plan for Morrison Marsh Nature Reserve. Invasive species removal and trail clearing, sign installation, and tree caging for forest restoration continue at three ITC nature reserves on Denman.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). The ITC board granted LINC a \$4,500 Opportunity Fund grant for a matching fundraising campaign.

Link Island (Gabriola Island Local Trust Area)

The ITC board authorized the Chair to sign a NAPTEP covenant with the landowner and the Nanaimo & Area Land Trust Society for the creation of a new NAPTEP covenant. The 19.3 ha covenant has significant ecological value and is a good model of land conservation under the NAPTEP program.

North Pender Island

The ITC board approved a request from the landholder of the Wallace Point NAPTEP Covenant to widen the driveway to allow for the safe passage of large vehicles.

South Pender Island

The ITC board approved a request from Pender Islands Parks and Recreation Commission to grant a covenant waiver to create new trail sections and close other trail sections to reduce overall trail length. The waiver also permits maintenance of a waterfall viewing platform.

Thetis

Staff are negotiating a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Ecological information is in the process of being collected to inform the covenant baseline report and the management plan for the protected area and a public open house will be held on Thetis Island October 13, 2018.

Please feel free to contact members of the Islands Trust Conservancy or Islands Trust Conservancy staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality November 2018

New Islands Trust Conservancy Board Members and Chair

The Islands Trust Conservancy board has two new members from the new 2019-2023 Islands Trust Council. Doug Fenton, a first-time trustee from Thetis, was elected to sit on ITC and the Board also welcomes Trustee Sue Ellen Fast as the appointed representative of the Islands Trust's Executive Committee. The Conservancy also re-welcomes returning trustee Kate-Louise Stamford, who was elected to the Board for a second term by the Islands Trust Council.

The Islands Trust Conservancy Board is comprised of two islands trustees elected to their positions by the Trust Council; one appointed Islands Trustee from the Trust Council executive and three provincially appointed board members from the islands at large.

The Islands Trust Conservancy Board

Richard “Hoops” Harrison – Saturna Island
Robin Williams – Salt Spring Island
Linda Adams – Salt Spring Island
Doug Fenton – Thetis Island
Sue Ellen Fast – Bowen Island
Kate-Louise Stamford – Gambier Island

At the November 27th meeting, Trustee Stamford was elected by acclamation by the ITC Board as their chair. This position is reviewed on an annual basis.

Islands Trust Conservancy Budget Submission

The Islands Trust Conservancy board received the Islands Trust Conservancy budget for information.

2019 Islands Trust Conservancy Board Meeting Dates

The Islands Trust Conservancy board approved the 2019 meeting schedule.

Regional Conservation Plan Reporting

The Islands Trust Conservancy board discussed ways to communicate the Regional Conservation Plan to local trust committees, the Bowen Island Municipality, Executive Committee and Trust Council.

Incorporation of Regional Conservation Plan into Land Use Planning

The Islands Trust Conservancy board discussed ways to communicate incorporating the Islands Trust Conservancy's 2018-2027 Regional Conservation Plan and associated mapping and data into Official Community Plans, Land Use Bylaws and local planning initiatives and projects and agreed to discuss further strategies for work with local trust committees and the Bowen Island Municipality at its January meeting.

Bylaw Amendment

The Islands Trust Conservancy board directed staff to provide recommendations for revision of Islands Trust Conservancy Bylaw 1 to add options for an alternate chair as there can be extra travel challenges when crossing from the mainland to the Victoria office.

New Name: Islands Trust Conservancy

ITC staff provided a briefing note about the status of the Islands Trust Conservancy name change and budget.

Summary of Current Island-by-Island Activities

Bowen

Trustee Fast reported that New Zealand MP Eugenie Sage came to Bowen Island and requested Islands Trust Conservancy covenant program information.

Denman

The Islands Trust Conservancy board received correspondence from the Cowichan Valley Regional District regarding the Denman Cross Island Trail. Invasive species removal and trail clearing, sign installation, and tree protection for forest restoration continue at three ITC nature reserves on Denman.

Gambier

Public consultation for the updated management plans of three Gambier Island Nature Reserves (Brigade Bluffs, Long Bay Wetland, Mount Artaban) is underway with a public survey and a public, open-house webinar on December 12, 2018.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC).

Please feel free to contact members of the Islands Trust Conservancy or Islands Trust Conservancy staff for more details.

*Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*

Link Island (Gabriola Island Local Trust Area)

The Islands Trust Conservancy and the Nanaimo Area Land Trust registered a NAPTEP covenant over 19.3 ha of Link Island. The Natural Area Exemption Certificate providing the property tax exemption was registered in October. The covenant has significant ecological value and is a good model of land conservation under the NAPTEP program.

North Pender Island

The Islands Trust Conservancy board received correspondence sent to North Pender LTC from Islands Trust Conservancy staff regarding Medicine Beach Nature Reserve.

Thetis

The Islands Trust Conservancy is negotiating a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Ecological information is being collected for the covenant baseline report and the management plan and a public open house was held on Thetis Island on October 13, 2018. Islands Trust Conservancy staff and Trustee Fenton met with representatives from the Penelakut Tribe, the Thetis Island Nature Conservancy and the Cowichan Community Land Trust to discuss property management on Thetis Island.

Please feel free to contact members of the Islands Trust Conservancy or Islands Trust Conservancy staff for more details.

*Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*



Islands Trust

Protecting the Coastal Douglas-fir Zone & Associated Ecosystems

An Islands Trust Toolkit

Contents

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Acknowledgements

The development of this tool kit by Justine Starke was assisted with feedback and contributions from a number of Islands Trust staff and by drawing on the work of the Coastal Douglas-fir Conservation Partnership. Of particular note are the following people who provided data and resources to support this project:

Lisa Wilcox

Kate Emmings

William Shulba

Shelley Miller

Madeleine Koch

Kim Stockdill

Nuala Murphy

Sonja Zupanec

David Marlor

Robert Kojima

Local Planning Committee

Unless otherwise noted, all photos were taken by Justine Starke.
Cover photo by Kristine Mayes.

Executive Summary

Across the Islands Trust Area, the Coastal Douglas-fir (CDF) zone and associated ecosystems make up much of the forested landscape; these lush and magnificent forests are the most visual indicator of the Islands Trust's success in achieving its mandate to protect the Islands Trust Area.

The CDF Zone encompasses the entire Islands Trust Area and is found nowhere else in Canada. Coastal Douglas-fir ecosystems are biologically, culturally, and physically important. These forested landscapes maintain our local climates, the sustainability of our freshwater systems, and the biodiversity of our islands. They are home to many endangered plant communities and are ranked as a high priority for preservation, globally and provincially. With the majority (68%) of CDF land across the Trust Area privately held, it is the residents and landowners who have the most responsibility and ability to carefully steward the CDF zone. Many special places on the islands are still special because of the care with which islanders take to preserving the land.

This toolkit proposes that Islands Trust can better use its legislative scope to improve protection for the CDF zone. In doing so, Islands Trust policy development should be guided by the following objectives when advancing Coastal Douglas-fir protection throughout the Islands Trust Area:

- maintain contiguous forest cover;
- protect and Restore Functioning Ecosystems;
- protect watershed ecology;
- honour Coast Salish cultural heritage.

These objectives will offer foundational direction for Islands Trust to consider in protecting its Coastal Douglas-fir forests. From the regional Trust Council (TC) and Islands Trust Conservancy (ITC), to local trust committees (LTCs) and community level actions, the Islands Trust has many tools to use in preserving and protecting the Coastal Douglas-fir zone across the Trust Area.



Many special places on the islands are still special because of the care with which islanders take to preserving the land.

Essential Steps for Islands Trust to Protect the CDF Zone:

1. Trust Council Strategic Plan

Prioritise CDF protection in the Trust Council strategic plan to ensure resources support work plans that advance CDF protection.

2. Implement the Regional Conservation Plan (RCP)

Adopt the RCP into OCPs with special emphasis on protecting contiguous forest and old growth within the Coastal Douglas-fir zone and associated ecosystems.

3. Mapping

Map contiguous tracks of the Coastal Douglas-fir zone and associated ecosystems.

4. LTC Top Priority

Local trust committees should make protection of Coastal Douglas-fir zone and associated ecosystems a top priority in their work plans. This will ensure staff and other resources are put to the task.

5. Education and Communications

Educate the public about the importance of CDF protection by incorporating a strong communications program into ITC conservation initiatives and into the land use planning process, especially when considering DPAs for CDF protection.

6. Official Community Plan Updates

Review OCPs for strong language that prioritises protection of the CDF zone in land use planning.

7. Development Permit Areas

Create DPAs to protect the Coastal Douglas-fir zone and associated ecosystems.

8. Land Use Bylaws/Zoning

Create density bonus zones in exchange for CDF protection by way of a conservation covenant; identify protection of the CDF zone as an amenity to be voluntarily offered at time of rezoning; designate zones for CDF protection.

9. Park dedication

Amend OCPs to include language directing the provision of land rather than cash in lieu at time of park dedication in the subdivision process. Include language guiding LTCs to request land where there are priority areas in the CDF zone. Advocate for other levels of government to protect more of the CDF zone as park land.

10. Tax Incentives

Tailor the NAPTEP program to highlight and prioritise the CDF zone in ITC conservation goals.

11. Partnerships

Continue to participate and be an active member of the Coastal Douglas-fir Conservation Partnership.

Summary of the Islands Trust toolkit:

TOOL	LEVEL OF PROTECTION	JURISDICTION	TYPE OF TOOL	IMPLEMENTED BY
1. Islands Trust Policy Statement	Indirect	TC	Policy	OCPs and zoning
2. Regional Conservation Plan	Indirect	ITC	Policy	OCPs, zoning, conservation tools
3. Land Acquisition	High	TC, ITC, Others*	Legal	Islands Trust Conservancy policies
4. Conservation Covenant	High	ITC; LTC; Others	Legal	Registration on land title
5. Amenity Zoning/Density Bonus	High	ITC; LTC; Others	Policy	Zoning combined with conservation tool (covenants or park dedication)
6. Park Dedication	High	LTC; Others	Legal/Regulatory	Land acquisition
7. OCPs	Indirect	LTCs	Policy	Zoning
8. DPA	Medium–High	LTCs	Regulatory	Permit approvals
9. Zoning/Land Use Bylaws	Medium	LTCs	Regulatory	Land use and density
10. Tree Cutting Bylaw	Medium	BIM	Regulatory	Permit approvals
11. Tax Incentives	High	ITC/Others	Economic	Conservation tools
12. Voluntary Stewardship	High	Private	Voluntary	Conservation tools
13. Ministerial Order	High	Province	Legislative	Crown Land Management
14. Water Sustainability Act	Indirect	Province	Regulatory	Area Based Regulations or Water Sustainability Plan

* Others in this instance refers to First Nations, community groups, land conservancies, other levels of government, or private property owners.

Coast Salish Stewardship of the Coastal Douglas-fir Zone

Douglas-fir is translated as ts'sey' in the Hul'q'umi'num' language, as JSÁ,łŁĆ in the Saanich (SENĆOTEN) language, and as ch'shay in the Squamish (Skwxwú7mesh) language.

The Islands Trust Area overlaps with the traditional territory of the Coast Salish people. Islands Trust acknowledges the 10,000 years of knowing and stewardship practices of the Coast Salish people — evident in the lushness of the forests and the biodiversity of the CDF zone. The Coast Salish have celebrated the life cycles of these forests since time immemorial. The languages and ceremonies of the Coast Salish people reflect the natural rhythms of the forests and shores of the Salish Sea. An ancient Douglas-fir tree is honoured as witness to the cycle of transformation and self nourishment of the forest's ecology. There exists a wealth of traditional ecological knowledge (TEK) in Coast Salish traditions. Douglas-fir and associated ecosystems provide food and medicine for health and well being. The wood of the Douglas-fir is used in the fire ceremonies of the long house. Western red cedars are also very important to the Coast Salish people. All parts of the cedar are used — the logs for longhouses, canoes, and masks, and the bark for clothing, mats, and baskets. The active management of the Garry Oak meadows favoured the annual cultivation of Camas, known as a staple food source for the Coast Salish people.¹

This report is not inclusive of the gathering, harvesting, or stewardship knowledge of First Nations within the Trust Area. This toolkit should be considered a living document that can be improved over time through meaningful consultation and engagement with First Nations.



*Cedar bark harvests represent the ongoing cultural use of Coastal Douglas-fir forests.
Photo: Tsawout Reserve (IR5), Salt Spring Island.*

Coastal Douglas-fir and Associated Ecosystems

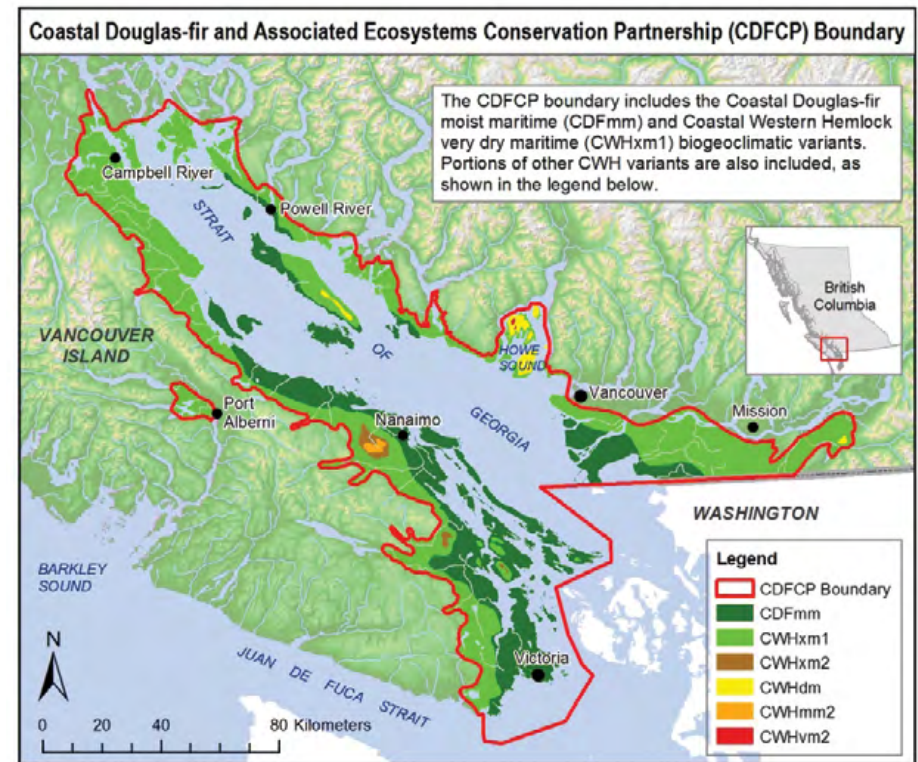
The Coastal Douglas-fir (CDF) Biogeoclimatic Zoneⁱⁱ is found nowhere else in Canada. It includes a unique set of ecosystems that occur along the edge of south-east Vancouver Island, across the Gulf Islands, and the along the southwest coast of Vancouver Island. The Islands Trust Area is entirely within the CDF zone. There are 16 biogeoclimatic zones in British Columbia – of these, the CDF is the smallest and most at risk. The CDF zone has many rare ecosystems and includes more than just Douglas-fir forests. Associated ecosystems include Garry Oak ecosystems, rocky outcrops, wetlands, and shorelines. The Coastal Western Hemlock (CWH) zone is considered an important associated ecosystem that exists within the area of interest of the CDF zone.

The CDF zone needs active stewardship by land owners: 80% of land in the whole CDF is privately owned but only 11% is protected in some way, making it the least-protected biogeoclimatic zone in BC.²

Importance of Coastal Douglas-fir Ecosystems

There is significant concern for the conservation of the CDF zone. The [Coastal Douglas-fir Conservation Partnership](#) has emphasized the importance of the CDF zone as being biologically rich and containing globally imperiled and provincially identified species at risk, as well as containing ecosystems at risk. CDF ecosystems clean our air and water, absorb carbon from the atmosphere, provide climate change mitigation and adaptation, and contribute to food resilience by providing habitat for pollinators and

ii A "biogeoclimatic zone" is an area with a relatively uniform climate, and with a mix of vegetation and soils that reflect that climate. A more detailed description of the Coastal Douglas-fir Biogeoclimatic Zone can be found in the [Ecosystems of British Columbia: Chapter 5 Coastal Douglas-fir Zone](#).



insectivores. CDF forests are important for people's mental health and wellbeing, and provide recreational and educational opportunities for people to learn about the significance, ecology, and cultural importance of these special coastal rainforests. The CDF zone can also add to property values. Individual properties that are in the vicinity of natural areas and parkland can increase property values by 3–6% (or more).³

Coast Douglas-fir Zone in the Islands Trust Area

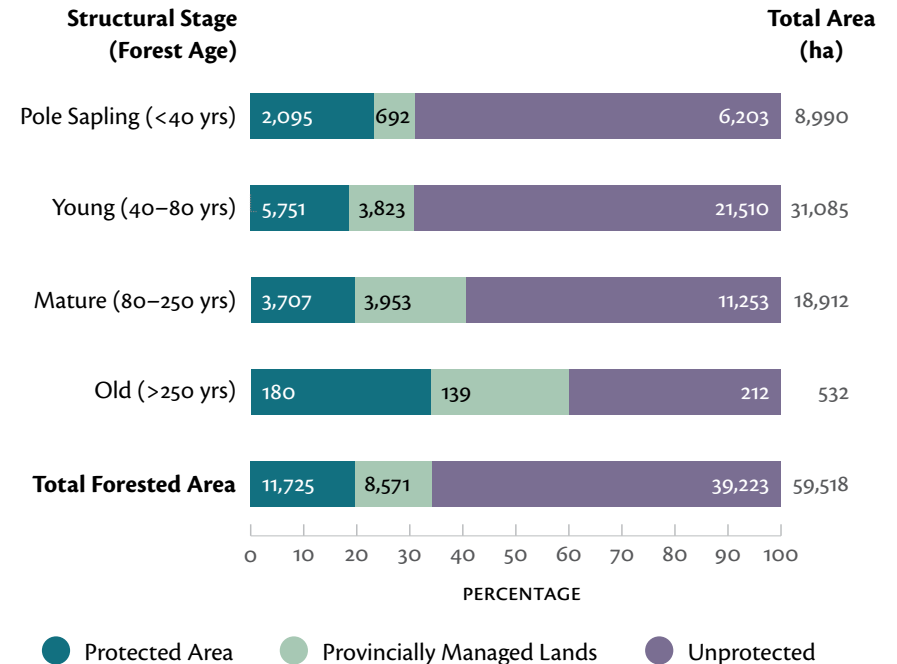
The Islands Trust Conservancy has identified healthy forests as a biodiversity priority in its Regional Conservation Plan for 2018–2027. Healthy forests are multi-aged forests with a diverse canopy cover and a variety of tree and understory species. The understory is also characterized as having large woody debris, including fallen trees and nurse logs, and lots of snags⁴.

Most of the Trust Area was logged at one time. Across the region, much of the forests are classified as young forest ranging from 40–80 years old. Mature forests (80–250 years old) cover approximately 24% of the Islands Trust Area, while less than one percent remains in old growth (forest that is more than 250 years old). Remaining old and mature forests are very important, providing high quality habitat and many more species than younger forests.⁵

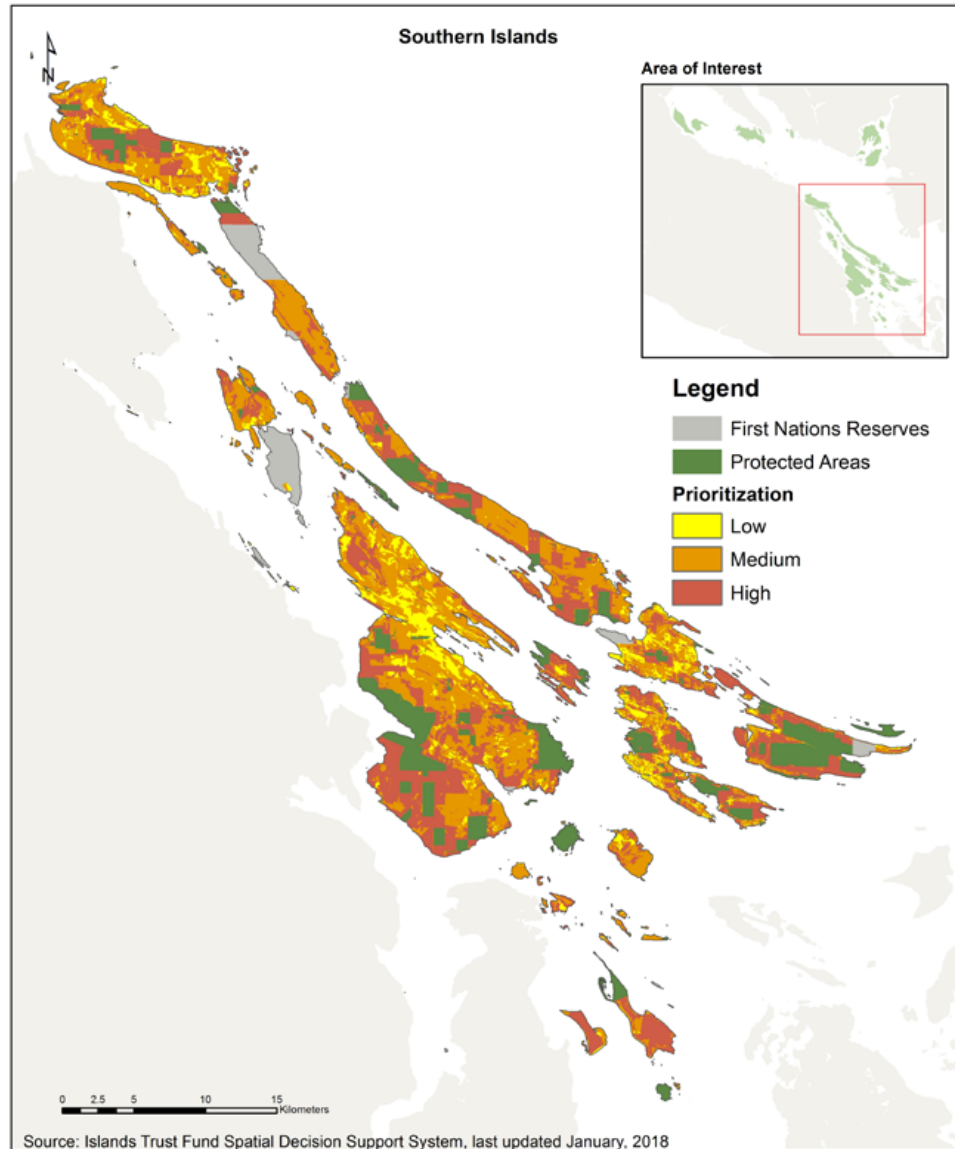
Across the Islands Trust Area, 19.7% of forests are in protected areas, including all parks, ecological reserves, watershed lands, heritage forest lands, nature reserves, and Old Growth Management Areas.⁶ Protection varies significantly by islands trust area/island municipality with Thetis having less than 5% and Saturna and South Pender having over 35% of forested ecosystems in protected areas.⁷ Private land in the Islands Trust Area represents about 68.6% of the landscape.⁸

Using a decision matrix, the Islands Trust Conservancy has identified priority lands for conservation across the Islands Trust Area. While there are lands with high conservation values on all the islands, the Islands Trust Conservancy will focus upcoming outreach programs primarily on Lasqueti Island, and in the Salt Spring Island and Thetis Island local trust areas, with a secondary focus on the Gabriola Island, Galiano Island, and Gambier Island local trust areas.

Structural stage (age) of forests in the Islands Trust Area by area and percent.

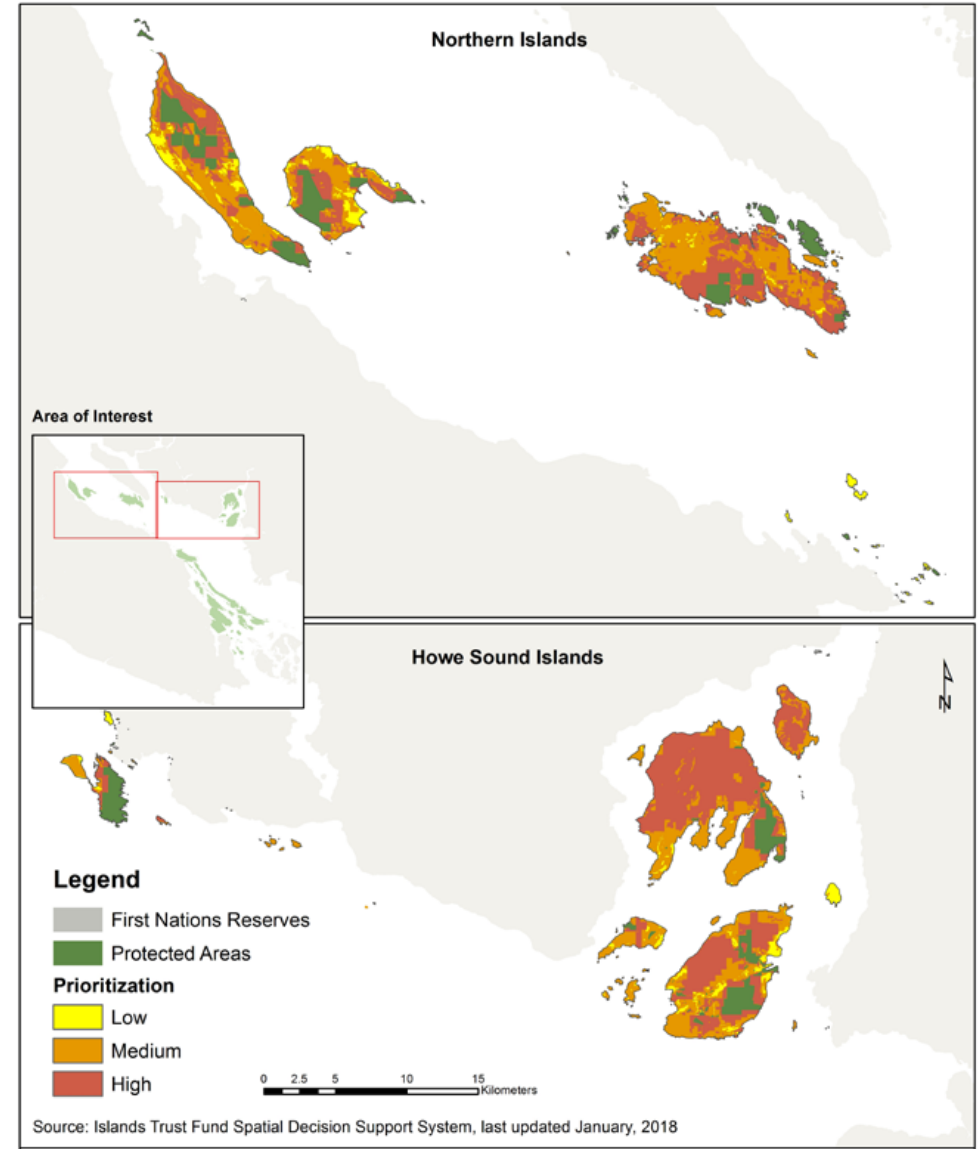


Priority Lands for Conservation in the Islands Trust Area



Priority Lands for Conservation in the Islands Trust Area

Biodiversity on small islands and islets may be of higher value than indicated due to challenges with connectivity and contiguity analyses where no protected areas exist. When considering conservation value of smaller islands and islets, please refer to Islands Trust Fund Biodiversity Composition analysis from the Islands Trust Fund Spatial Decision Support System.



Priority Lands for Conservation in the Islands Trust Area

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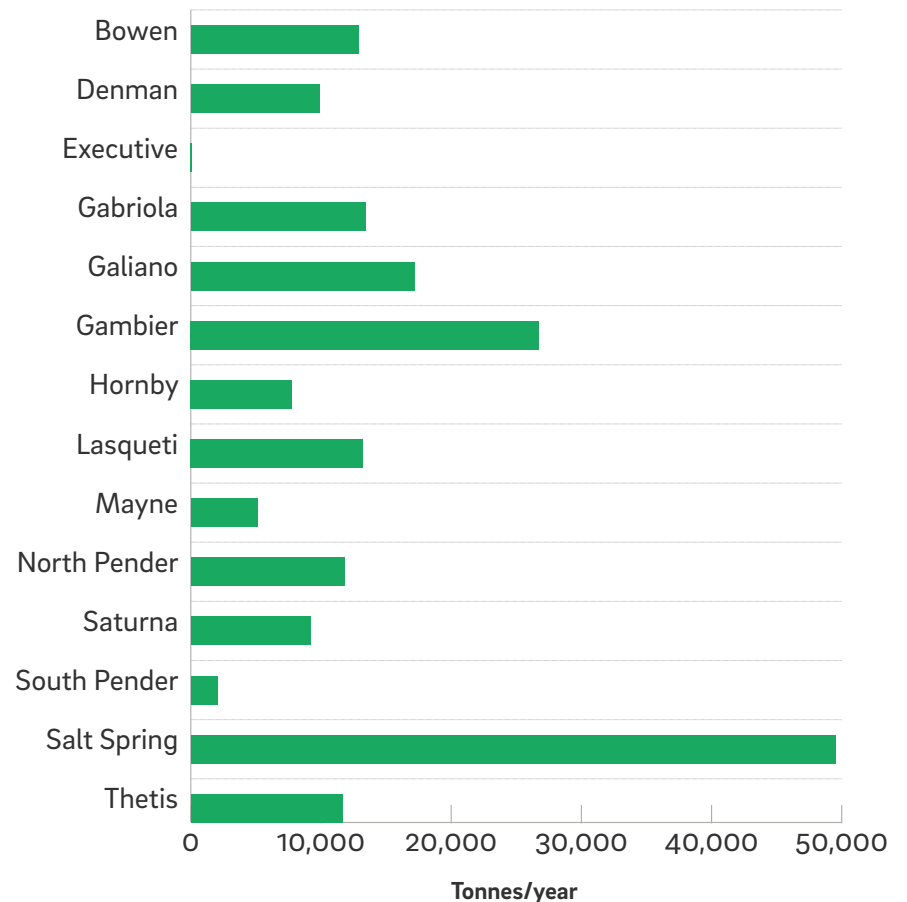
The Islands Trust Area Mitigates Impacts of Climate Change

The Islands Trust Area's forests are unique and globally important. The significant role these forests play in mitigating the impacts of climate change is not always recognized. Forests provide biomass and soils as "living carbon," using natural processes to remove and store carbon dioxide from the atmosphere in a dynamic process of growth, decay, disturbance and renewal. At a global scale, forests help maintain Earth's carbon balance.⁹ The carbon cycling of forests provide essential life support services that protect us from the impacts of climate change.

British Columbia ecosystems have some of the highest carbon stores in Canada and play an important global role in carbon cycling and storage. As of 2008, the total carbon stored by BC's forests was 88 times Canada's annual greenhouse gas emissions.¹⁰ However, Coastal Douglas-fir forests within the Islands Trust Area store and sequester more carbon per hectare than the rest of British Columbia. This carbon sequestration is likely due to a higher density of maturing forests, which store and take in more carbon to support their growth.¹¹ Islands Trust has an important role and responsibility for "carbon stewardship"¹² by protecting its intact Coastal Douglas-fir forests.

- As a whole, the Trust Area sequesters 190,506 tonnes of carbon per year, which equates to about 40,241 passenger vehicles per year.
- On average, forests in the Islands Trust Area store 82% more carbon per hectare than forests in the rest of the Coastal Douglas-fir zone.
- On average, forests in the Islands Trust Area have the potential to absorb 43% more carbon per hectare over the next 20 years than forests in the rest of the Coastal Douglas-fir zone.¹³

Carbon sequestration per Local Trust Area



- When ranked for sensitivity to climate change, carbon storage capability, biodiversity habitat, and the degree of human impacts, the Coastal Douglas-fir zone is the most important BC ecosystem.¹⁴

Threats to the CDF Zone

The Coastal Douglas-fir Conservation Partnership's 2018 *Quick Guide for Local Governments* has an expanded section on threats to the CDF zone. The following has been summarized for the purpose of this toolkit.

Human Pressures and Deforestation

Coastal Douglas-fir ecosystems are under threat from human pressures. Of all the zones in the province, the CDF has been most altered by human activities:

- Almost half of the CDF lands have been converted for human use (urban, roads, agriculture, mining, industrial, etc.).
- 75% of the human population of BC lives in the CDF, including the major centres of Vancouver, Victoria, and Nanaimo where population growth is expected to continue.
- The CDF has the highest road density of any biogeoclimatic zone in BC.¹⁵

The trend of deforestation and residential sprawl continues. Even in the Islands Trust Area, many local trust committees have not reduced the subdivision potential inherited by the zoning that was already in place when the Islands Trust was created in 1974. The continued pareclization and subdivision of land causes fragmentation and perpetuates the incremental loss of contiguous forest cover, threatening the remaining natural systems.

The Islands Trust Conservancy estimates that between 2004–2014, approximately 1,070 ha of land was disturbed or lost through deforestation, vegetation clearing, creation of rural development and roads, wetland loss and disturbance to soils.¹⁶ See Appendix II of the Islands Trust Conservancy [2018–2027 Regional Conservation Plan](#) for a breakdown of disturbance type by local trust area or island municipality.

“The extent of disturbance, combined with the low level of protection, places the ecological integrity of the CDF zone at high risk... Deforestation in a land base that was once predominantly forested has consequences for the small patch ecosystems, specialized habitats and at-risk species that were previously buffered and supported by the ecological processes of the surrounding forests... These changes affect hydrological patterns and the ability to filter and store water; destabilizes forest soils and reduces capacity to regenerate soils; alters the resistance to the invasion of alien species; alters prey-predator relationships; alters carbon and nutrient cycles, including the release of carbon to the atmosphere; and removes specialized habitat features for wildlife foraging, shelter and breeding (Coastal Douglas-fir Conservation Partnership (CDFCP), 2015).

Climate Change

The impacts and costs of climate change vary regionally; the northern hemisphere is projected to have higher rates of warming than other regions. Canada and British Columbia have many of the high-risk landscapes such as mountainous regions, sub-boreal and alpine regions, coastal and other low-lying areas, and forests with high fire and insect risk.¹⁷ The changing climate impacts the Coastal Douglas-fir forests as well by reducing water availability, stressing native ecosystems and species, and introducing new pests and diseases.¹⁸

Forests can act as both carbon sources and carbon sinks. Forests are *carbon sources* when they release more carbon than they absorb, for example when trees burn or when they decay after dying. A forest is considered to be a *carbon sink* if it absorbs more carbon from the atmosphere than it releases. Carbon is absorbed (sequestered) from the atmosphere through photosynthesis. As noted, the forests of Islands Trust Area are carbon sinks for the region.

As the climate changes, there will be more and more fires, in combination with longer, more frequent droughts and a greater incidence of insect outbreaks. The Government of Canada notes that, "the outcome of all these interconnected events is likely to be further acceleration of the feedback loop: more emissions will lead to accelerated climate change, which in turn will enhance the conditions that create more carbon-releasing disturbances in Canada's forests."¹⁹

Water Availability

The relationship between trees and water is inherent in healthy forests. Water availability directly influences watershed ecological function and sustains healthy forests as a whole. Forests are a mosaic landscape of ecology and geology that maintains water storage and contributes to water quality by filtering through forest soils and biomass. Through capillary processes, nutrient rich water moves from the soil, through roots of trees, and is carried up the tree's trunk to the leaves to contribute to the process of photosynthesis.²⁰ Tree canopies collect rainfall, releasing it slowly into forest floor that contributes to the health of the forest ecosystems and contribute significantly to sustained groundwater recharge.²¹

Unfortunately, these processes are also threatened by climate change.²² Longer summer droughts may be causing decline in the health of the Coastal Douglas-fir ecosystems, particularly on drier sites.²³ Islanders have observed this anecdotally by noting the visual decline of individual trees and seeing the overall stress on the forests — especially evident in the thirsty western red cedars and broad leaf maples.

Wildfire

Fire is an important part of the natural CDF ecological cycle. Natural fire cycles create diversity in the types, ages, and densities of trees, which in turn help limit soil damage and maintain watershed functioning.²⁴ Historically, wild fires and deliberate burning by First Nations played an



important role in shaping CDF ecosystems by clearing the understory of less fire-resistant species, creating openings in the canopy, and favouring the dominance of large, thick-barked Douglas-fir, Maple, and Garry Oaks.

Since colonization, forest fires have been suppressed and wild fires have been increasing in frequency and intensity across British Columbia, especially in recent years. Severe fires can disrupt the ecological balance of forests; they alter watershed functioning and create erosion and sediment damage in streams.²⁵ The accumulation of deadfall and the absence of controlled burns in the forests has increased the risk of fire across the Trust Area. In 2006, a fire burned 61 hectares of forests on Galiano Island and 120 residents were evacuated.²⁶ While the Islands Trust Area has been fortunate to not have had a more catastrophic wild fire burn on one of our islands in recent times, the risk of fire threatens Coastal Douglas-fir forests as well as the communities of the Islands Trust Area.



These objectives should be foundational and guide policy development at all levels.

Objectives for Coastal Douglas-fir Protection in the Islands Trust Area

Trust Council, the Islands Trust Conservancy, and local trust committees need to work together to harmonize policies and regulations and coordinate work programs to achieve greater protection of the Coastal Douglas-fir zone and associated ecosystems throughout the Islands Trust Area. In order to best support the strategic coordination of Islands Trust towards the protection of the Coastal Douglas-fir zone and associated ecosystems, the following overall objectives should be foundational and guide new policy development at all levels:

- **Maintain Contiguous Forest Cover**

The most obvious way to retain the ecological integrity of the Coastal Douglas-fir zone and associated ecosystems is to retain contiguous tracks of forest. Forest ecosystems function best when buffered from impacts of disturbance and fragmentation, which causes edge effects and makes forests vulnerable to invasive species, altered hydrological regimes, and disrupted ecological services. The land use and conservation tools available to Islands Trust can greatly benefit the maintenance of contiguous forest cover throughout the Islands Trust Area.

- **Protect and Restore Functioning Ecosystems**

Human impacts on the Coastal Douglas-fir zone throughout the Trust Area have caused a loss of ecosystem functioning. Much of our forests need individual assessments and restoration to ensure the integrity of the ecosystems is maintained. This objective highlights the need for active forest maintenance and would be best achieved through tools of coordination and collaboration with other levels of government, environmental stewardship groups, and programs for landowner outreach, education, and voluntary stewardship.

- **Protect Watershed Ecology**

Longer drought periods and altered hydrological processes are threatening CDF forest ecosystems. Islands Trust can use land use and conservation tools to protect the watersheds in the CDF zone. This would not only protect the forest, but also serve to protect the freshwater resources of our islands.

- **Honour the Cultural Heritage and Stewardship of the Coast Salish People**

The legacy of stewardship of the CDF zone can be acknowledged and extended with the protection of culturally important places, archaeological sites, knowledge sharing, cooperation, and First Nations relationship building.

The Islands Trust Tool Box

The different tools available to the bodies of Islands Trust include policy tools, regulatory tools, and legal tools — often used in combination — which carry with them varying degrees of strength in the level of protection they can offer for protection of the CDF zone. Policy tools enable regulations that in turn manage and limit development of the landscape. Legal tools

such as covenants are often voluntary or the results of negotiations related to development approvals, but offer a high level of environmental protection once they are registered. The following table summarizes the tools available and illustrates this point:

TOOL	LEVEL OF PROTECTION	JURISDICTION*	TYPE OF TOOL	IMPLEMENTED BY
1. Islands Trust Policy Statement	Indirect	TC	Policy	OCPS and zoning
2. Regional Conservation Plan	Indirect	ITC	Policy	OCPS, zoning, conservation tools
3. Land Acquisition	High	TC, ITC, Others	Legal	Islands Trust Conservancy policies
4. Conservation Covenant	High	ITC; LTC; Others	Legal	Registration on land title
5. Amenity Zoning/Density Bonus	High	ITC; LTC; Others	Policy	Zoning combined with conservation tool (covenants or park dedication)
6. Park Dedication	High	LTC; Others	Legal/Regulatory	Land acquisition
7. OCPs	Indirect	LTCs	Policy	Zoning
8. DPA	Medium–High	LTCs	Regulatory	Permit applications
9. Zoning/Land Use Bylaws	Medium	LTCs	Regulatory	Land use and density
10. Tree Cutting Bylaw	Medium	BIM	Regulatory	Permit approvals
11. Tax Incentives	High	ITC/Others	Economic	Conservation tools
12. Voluntary Stewardship	High	Private	Voluntary	Conservation tools
13. Ministerial Order	High	Province	Legislative	Crown Land Management
14. Water Sustainability Act	Indirect	Province	Regulatory	Area Based Regulations or Water Sustainability Plan

* Others in this instance refers to community groups, land conservancies, First Nations, other levels of government, or private property owners.

The Islands Trust Mandate:

*The object of the Islands Trust is to Preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.*²⁷

The Islands Trust has a legislated mandate to protect the environment. However, the Islands Trust “Object” does not carry with it any special land use authority to do so. It is implemented through the same powers shared by regional districts and municipalities across BC, conferred on the corporate bodiesⁱⁱⁱ of Islands Trust by the Islands Trust Act, which in turn references the Local Government Act. Incorporated as a municipality, Bowen Island has additional tools available under the Local Government Act. Please see [Appendix 1](#) to review the legislative context and governance structure of Islands Trust.

Trust Council and Executive Committee Tools

Islands Trust Policy Statement

Trust Council is required under the Islands Trust Act to adopt a policy statement that applies to the entire Trust Area. The [Islands Trust Policy Statement](#) could be considered a regulatory tool. It is intended as a general statement of the policies of Trust Council for the purpose of carrying out the object of the Islands Trust, and is the legal mechanism by which Trust Council ensures that LTC bylaws are consistent with those policies. It provides a framework for land use planning in the Trust Area, and is a mechanism for compatibility between plans for the various local areas. All local trust committee bylaws and all official community plans and amendments must comply with the Policy Statement. Prior to adopting a bylaw,

an LTC must forward the bylaw and checklist to the Executive Committee (EC) for approval and EC may only approve the bylaw if it is not contrary to or at variance with the Policy Statement.

Trust Council Strategic Plan

Trust Council uses its [strategic plan](#) to guide its work. The strategic plan is a policy tool developed as the work program for Trust Council, and by extension, local trust committees, over the course of each political term. The strategic plan represents the political direction to undertake work; it is the organizational tool that can direct staff to develop policy and make recommendations for the protection of the coastal Douglas-fir zone and its associated ecosystems. If protection of the CDF zone is not identified as a work program item in the Strategic Plan, it will not be resourced and advanced throughout the organization.

Coordination

The Islands Trust Act Section 8.2(b) gives Trust Council the authority to coordinate and assist in the determination, implementation, and carrying out of regional, improvement district and government of British Columbia policies. This authority could be used in partnerships for the protection of the CDF zone. See the section on “Partnering for CDF Protection,” below.

Mapping of the Coastal Douglas-fir zone and associated ecosystems

Accurate mapping and data analysis is essential and provides the evidence that underpins policy, regulatory, and legal conservation tools. Mapping should identify both core areas for conservation and connectivity corridors that allow for wildlife movement.

The Coastal Douglas-fir Conservation Partnership (CDFCP) has developed a user-friendly mapping tool that incorporates CDF ecosystem values and identifies priority areas for conservation in the CDF zone. The Islands Trust uses a proprietary application referred to as TAPIS (Trust Area Property

ⁱⁱⁱ The corporate bodies of the Islands Trust include Trust Council, Executive Committee, Local Trust Committees, and the Islands Trust Conservancy.

Information System) which delivers both spatial (i.e. property boundaries and zoning features) and tabular (i.e. BC Assessment and LTO records) data to staff for reference, analysis and information management. The data are used to help make decisions such as where to apply development restrictions through the application of development permit areas, or who to notify in cases of rezoning applications. It is possible that Islands Trust could include the CDFCP mapping layer in its TAPIS mapping application.

Local Trust Committee Tools

Local trust committees (LTCs) are responsible for land use planning and regulation in each local trust area. LTC responsibilities include preparation and adoption of official community plans, land use bylaws, which include zoning and subdivision regulations, soil removal and deposit bylaws, and authorization of other permits, such as siting and use permits or development permits in development permit areas. The land use planning powers of local trust committees are underutilized; LTCs can be much more effective in using these tools to protect sensitive ecosystems such as the CDF Zone.

Our Work is Cut Out for Us: CDF Protection needs LTC Prioritization

As with other islands, on Salt Spring Island the Official Community Plan does not advance protection of contiguous forest cover or sensitive forest ecosystems. Salt Spring Island does not have Sensitive Ecosystem Development Permit Areas. The Salt Spring Island Official Community Plan would need to be amended to be effective in protecting the Coastal Douglas-fir ecosystem and/or contiguous forests. The forests would need to be considered "Environmentally Sensitive Ecosystems/ Areas" and/or "Areas of High Biodiversity" in order to get the protection afforded throughout the SSI OCP. Updated OCP mapping would help with this approach. Otherwise, the forests would need to be designated as either Park and Recreation lands, Conservation Lands (i.e. watersheds), or Ecological Reserves in order to have more protective policies.²⁸

Official Community Plans

The Official Community Plan (OCP) is a legal policy document intended to manage growth and guide future development. It represents the community's vision for how the island should change. The authority to adopt OCPs is found in the Local Government Act, which defines an OCP as "a statement of objectives and policies to guide decisions on planning and land use management." Islands Trust has a duty to consult First Nations on Official Community Plan amendments, which also require approval by the Minister (currently the Minister of Municipal Affairs and Housing).

An OCP typically contains broad goals, objectives for particular land uses, specific policies for each land use, general advocacy policies, maps and development permit areas.

- Goals are general statements of purpose.
- Objectives are strategies to achieve the goals
- Policies are specific statements, programs or restrictions that provide direction.

OCP policies guide LTC decision-making and are implemented by other tools, principally land use bylaws that prescribe zoning.

Policies are legally binding on the LTC, but the LTC is not required to implement particular policies in an OCP. Within Islands Trust, an OCP must be consistent with the Islands Trust Policy Statement.

An OCP is not a regulatory bylaw. With the exception of Development Permit Areas, OCPs have no direct effect or authority on private landowners or other governments or agencies (Land Use Bylaws regulate the use of land).

To advance protection of the Coastal Douglas-fir zone, official community plans should specifically set goals, objectives, and policies that support CDF retention and protection. Each OCP should also be amended to:

- Include strong language directing protection of the CDF zone.
- Implement the Islands Trust Conservancy Regional Conservation Plan.
- Include specific policies supporting park dedication that protects CDF forests (see the section on park dedication below).
- Include Development Permit Areas for the protection of the environment, specifically the Coastal Douglas-fir zone and associated ecosystems.
- Include “urban” containment boundaries achieved through Land designations and land use policies that preserve large lot areas outside of the villages, and that direct density to specific areas of the islands zoned for mixed use commercial/residential, smaller lots, and areas that can be serviced by adequate water supplies.
- Identify protection of the CDF zone as an amenity that can be provided at the time of rezoning. Establish the nexus between development impacts and ecological services.
- Include enabling policies for conservation subdivisions, amenity zoning, density transfers, and density bonusing.
- Include language and policies that reference and honour the cultural heritage of Coast Salish stewardship, including the protection of culturally important places, and archaeological sites.

“ This Plan supports the preservation and protection of Galiano’s ecosystems. Galiano is part of the vulnerable Coastal Douglas-fir biogeoclimatic zone. This is the smallest and rarest biogeoclimatic zone in British Columbia and it has the highest density of species that are of both provincial and global conservation concern of any B.C. biogeoclimatic zone. These ecosystems provide key services that sustain human health and wellbeing, including timber and nontimber resources, clean air and water, nutrient cycling, carbon dioxide absorption and carbon storage. The forested landscape is integral to Galiano’s character. Maintaining and restoring Galiano’s forest ecosystem is critical for ecosystem-based sustainable forest management (Galiano Island Official Community Plan (P.2)).

Parkland Dedication

For subdivisions that create more than three lots that are under 5 acres (2ha) in area, Section 510 of the Local Government Act requires the developer provide a 5% park land dedication, or cash in lieu, at the discretion of the local government. While the Ministry of Transportation and Infrastructure is the approving authority for subdivisions within Islands Trust, local trust committees are the local government authority for deciding park dedication. Local trust committees have the discretion to determine whether land or cash is requested, and what the amount should be (up to 5% of the total area or land value)^{iv}. Each official community plan can include policies guiding local trust committees to prioritize a land request where the land in question contains some part of the Coastal Douglas-fir zone and associated ecosystems, either wholly on the property or as part of a larger forest system.

^{iv} In practice, local trust committees do not have a park function and some local trust committees partner with Regional Districts as the agency to receive the park dedication as cash or land.

Development Permit Areas

Authorized by the Local Government Act, Development Permit Areas (DPAs) are the best regulatory tool available to local trust committees for managing development on private land and mitigating impacts to the Coastal Douglas-fir zone. Development permit areas may be designated for a number of purposes; the following are most relevant to protection of the CDF Zone²⁹:

- Protection of the natural environment, its ecosystems and biological diversity.
- protection of development from hazardous conditions;
- establishment of objectives to promote energy conservation;
- establishment of objectives to promote water conservation;
- establishment of objectives to promote the reduction of greenhouse gas emissions.

DPAs established for protection of the natural environment are often referred to as Environmental Development Permit Areas (EDPAs). Development Permit Areas regulate development in pre-designated areas, according to specific guidelines that are usually found in official community plans. The LTC can require impact assessment information to inform whether the proposal meets the guidelines in the OCP. The OCP guidelines are the conditions under which the development can take place; these become permit conditions once the permit has been issued.

“The Resort Municipality of Whistler has established sensitive ecosystem EDPAs across its entire landbase (except for the non-riparian aspects of the Village core). Whistler used terrestrial ecosystem mapping as the basis for EDPA maps. In the new OCP, if a feature on a property looks like part of a sensitive ecosystem, staff require the applicant to hire a QEP to determine if it is, and where the boundary of it is (Green Bylaws Toolkit, 2016).

Within the Islands Trust Area, 68% of the land base is privately owned. In this context, Development Permit Areas are ideal regulatory tools because they do not prohibit development, but rather “permit” it, while controlling how the development occurs. DPAs give certainty to the community and to developers; the LTC does not have discretion to refuse the permit if it considers the proposal to be substantially consistent with the specific OCP guidelines in the DPA. If the intent of the DPA is to protect old and contiguous CDF forests, the DPA guidelines would prescribe how the development can be compatible with the ecosystem values of the forest. DPAs also include exemptions to allow acceptable activity to be exempt from the requirement to apply for a development permit.

Galiano Island DPA 3: Tree Cutting and Removal

The entire Galiano Island local trust area is designated as a development permit area for the protection of the natural environment, its ecosystem and biological diversity, for the purpose of requiring development permits for the cutting and removal of trees.

— Galiano Island Official Community Plan (DPA 3)

While Development Permits Areas are the most flexible instrument for managing development on private land, their limitations weaken the extent of environmental protection they can achieve:

- DPAs are only applicable to residential, industrial, and commercial development.
- Commercial forestry, institutional development, and agriculture are exempt from DPAs.
- Bylaw infractions of DPAs can be hard to enforce.
- DPAs are not well understood and public acceptance of new DPAs can be difficult. Any new program to introduce DPAs should be resourced with a healthy communications plan.

Land Use Bylaws

For a Local Trust Committee, the land use bylaw (LUB) is the main tool for implementing OCP policies through land use regulations, particularly zoning. Land use bylaws designate the zoning and regulate land use within the area of covered by the bylaw. A LUB typically divides the local trust area into zones and regulates the use and density within the zones. Land use bylaws contain regulations on the size and siting of buildings and structures and define setbacks from lot lines and water courses. The LUB prescribes the number of new lots, and the shape, dimensions and area of new lots created by subdivision. In addition, the LUB incorporates into a single bylaw other planning powers delegated to LTCs: parking regulations, subdivision servicing requirements, sign regulations, screening and landscaping requirements, flood plain regulations, and run-off control regulations.

Local trust committees could consider amending their land use bylaw in the following ways to advance protection of the CDF zone:

- **Site Coverage:** Reduce site coverage density in land use bylaws. Across the Islands Trust, site coverage is usually the default 25%, inherited with the zoning when Islands Trust was created. This means that 25% of the land can be covered with impervious surfaces. Site coverage is often overlooked by local trust committees when updating land use bylaws but high site coverage allowances are likely inconsistent with the preservation of the CDF zone and also the Islands Trust mandate, especially on large properties.
- **Conservation subdivision:** Incorporate conservation subdivision principles into land use bylaw requirements for subdivision.
- **Downzone:** Increase the minimum average area of lots that can be created by subdivision to a minimum of 10 acres. This can be standardized across the Trust Area. Further remove subdivision potential from some large lots in areas targeted as important for CDF protection and hydrological connectivity.

- **Amenity zoning:** Negotiate land conservation at the time of rezoning. Make consideration of zoning approvals conditional on the voluntary provision of a covenant or land donation to protect the CDF forest as a public amenity.
- **Density Bonus:** Bylaws can pre-zone land to allow an increase in density in exchange for natural area protection. Unlike amenity zoning, density bonus bylaws offer developers and the community certainty; a rezoning process is not required, and the maximum potential density is known ahead of time.
- **Lot Averaging or Clustering:** During rezoning or at time of subdivision, residential lots or dwelling units can be clustered. LUB density requirements for subdivision should have minimum average lot area provisions that allow smaller individual lot areas while limiting the overall number of lots that can be created.
 - *When homes or lots are grouped in one part of the property, the rest can be left as natural area. Clustering reduces development costs as there are fewer trees to clear, less land to grade, and less road, water, hydro, and sewer infrastructure needed to service the development. Smaller lots with significant amounts (more than 50%) of protected open space targets the growing consumer market that is seeking homes in natural settings with less property to maintain.³⁰*

Conservation Subdivisions

Conservation subdivisions combine different tools (including amenity zoning or density bonuses at time of rezoning) to achieve multiple environmental and social benefits. Lot clustering is combined or traded off with protection of large natural areas (often by way of a covenant). The LUB provisions would allow lot averaging (this achieves the clustering), ecological design lot layout requirements instead of traditional lot depths:width ratios, landscape buffers, and would remove the potential for further subdivision.

- **Density transfer:** Use the rezoning process to transfer permitted density from one parcel with high CDF ecosystem values to another (less sensitive) property. The Islands Trust has used density transfer on several islands, and has prepared a discussion paper looking at the pros and cons of this tool for [Saturna Island](#).
- **Nature Protection Zones** Land Use Bylaws can designate zones to protect the ecosystem values of the Coastal Douglas-fir zone. For example, Galiano Island has Nature Protection Zones where the only permitted uses include ecological reserves and nature conservancies, research and educational activities, groundwater retention and recharge, ecological restoration, and passive recreation.



Photo: Kristine Mayes

Galiano Island Amenity Zoning

A 2016 Galiano amenity rezoning application protected forest and shoreline by providing a 10.7-hectare waterfront community park, adding 10 ha to a BC Park, and also donated land for affordable housing. The rezoning resulted in five residential lots totalling 11 hectares and a 20-hectare lot for sustainable forest management practices. As a condition of rezoning, a covenant requiring sustainable forest management practices was granted to the Galiano Conservancy Association, the Land Conservancy, and the Galiano Island Local Trust Committee.

Tree Cutting Areas

Pursuant to Section 500 of the Local Government Act, a local trust committee could “designate areas of land that it considers may be subject to flooding, erosion, land slip or avalanche as tree cutting permit areas.”³¹ Within these areas, the local trust committee may require a permit before land owners remove trees. The focus of the bylaw must be to protect the land from danger due to flooding or erosion, and the LTC may require applicants to provide a report certified by a qualified professional confirming the proposed cutting will not create such a hazard. Although this authority is limited in scope, it nevertheless gives LTCs ability to regulate tree cutting in some areas of the CDF zone, particularly in steep-sloped terrain.³² This authority has yet to be utilized within the Islands Trust Area – consideration should be given to how a Tree Cutting Area would differ from a DPA established to protect environment from hazardous conditions.

Amenity Zoning on Gabriola Island

A recent application on Gabriola Island proposes to transfer and donate 155.3 hectares (383.74 acres) of land for parks in exchange for the creation of 25 residential lots at a different location on the island with those lots having an average lot area of 1.9 hectares (4.69 acres). The subsequent subdivision process required to create the lots will add park and trail connections on the ‘receiver lands’ between Cox Community Park and the village *core area*.

Islands Trust Conservancy Tools

Islands Trust Conservancy

Governed by the Islands Trust Conservancy Board, the Islands Trust Conservancy (formerly the Islands Trust Fund) is a regional land trust and is legally independent from the Islands Trust. Its vision is to “create a network of protected areas in the islands so that Canada’s Salish Sea is a vibrant tapestry of culture and ecology, and where viable ecosystems flourish alongside healthy island communities.”

Regional Conservation Plan

The Islands Trust Conservancy’s work is guided by the Regional Conservation Plan (RCP), a science-based and community informed plan that identifies, prioritizes and plans for the protection of the best of the islands’ natural spaces. The conservation plan guides and focuses efforts and resources on what is most urgently in need of protection. The [2018–2027 Regional Conservation Plan](#) identifies healthy forests as a biodiversity priority and highlights the vulnerability of the Coastal Douglas-fir Biogeoclimatic Zone.³³ As a guiding document, the RCP needs to be implemented using land use planning and conservation tools and prioritized for implementation by local trust committees and other levels of government.

Conservation Covenants

Conservation covenants are one of the strongest tools to protect sensitive environmental features like the CDF zone because they permanently protect the natural features of the land. Conservation covenants are written legal agreements between a local government authority or conservation agency and a landowner, in which a landowner promises to protect all or part of the land in specified ways. The covenant runs with the land; it is registered on the land title under section 219 of the Land Title Act. This ensures the promise to protect the land binds future owners of the land and the conservation organization(s) who hold the covenant.

A photograph of a forest with tall trees and a body of water in the background. The trees are mostly evergreens, and the water is visible through the branches. The sky is blue with some clouds.

Conservation covenants are one of the strongest tools to protect sensitive environmental features like the CDF zone because they permanently protect the natural features of the land.

Only under special circumstances and with the agreement of all parties can the covenant be modified. For more information:

islandstrustconservancy.ca/media/9407/covenantbrochure.pdf.

Conservation covenants are voluntary and can be negotiated with developers or land owners as part of rezoning applications or through other development approvals through the land use planning process. Conservation covenants are also registered by land owners on their own accord, to ensure future protection of valued ecological features or in order to achieve a tax benefit.

Land Acquisition for Conservation

As a regional land trust, the Islands Trust Conservancy is able to accept gifts of land, including land within the CDF zone. The ITC permanently protects land as nature reserves or sanctuaries. As a qualified donee under the Income Tax Act, the ITC can issue tax receipts for land donations. The ITC acquires land through partnerships, through land or financial donations, and through fundraising campaigns. See islandstrustconservancy.ca for more information.

Tax Exemptions

The Islands Trust Natural Areas Property Tax Exemption Program (NAPTEP) provides landowners with an annual 65% exemption on the property taxes for the portion of their property protected with a NAPTEP covenant. To qualify for NAPTEP, the property needs to have one (or more) of the following eligible features:

- Relatively undisturbed sensitive ecosystems
- Habitat for rare native plant species or plant communities
- Habitat critical to native animal species' breeding, rearing, feeding or staging
- Special geological features



The Islands Trust Conservancy could consider regulatory/policy change to create a special NAPTEP for the Coastal Douglas-fir zone and associated ecosystems. The program could be tailored using a targeted communications program and mapping that identifies contiguous forest cover, highlighting those properties that are adjacent to lands already protected.

The federal [Ecological Gifts Program](#) provides donors of eligible conservation covenants with a tax credit for land donations that can be applied to income and used for reduction in capital gains as part of estate planning.³⁴

Outside of the Box — Partnering for CDF Protection

Many of the success stories of ecosystem protection within Islands Trust are the result of partnerships and collaboration with other levels of government, community groups, the Islands Trust Conservancy and other land conservancies. The Islands Trust Act Section 8.2(b) gives Trust Council the authority to coordinate and assist in the determination, implementation, and carrying out of regional, improvement district and government of British Columbia policies. Not all tools that are outside of the Islands Trust tool box can be accessed through coordination, but in many cases coordinated collaboration could lead to better protection of the CDF zone.

Municipal and Regional District Tools

Within Islands Trust, only Bowen Island has incorporated as a municipality. Some of the following tools could be used by the Bowen Island Municipality or could be requested by Islands Trust as legislative amendments for Provincial consideration.

Parkland

One of the best ways to protect land is through the creation of parks and protected areas. While local trust committees can decide on parkland dedication during the subdivision process, the Islands Trust Act does not give the Islands Trust the ability to manage parkland. Across the Islands Trust Area there are National, Provincial, and Regional parks that area managed by these three levels of government. Some of these parks are contiguous with land owned by the Islands Trust Conservancy and/or land protected by conservation covenants.

The Bowen Island Municipality can manage parks and has a recently approved Parks Plan that includes a number of classifications, including Nature Parks and Environmental Areas for environmental protection, although it does not specifically address protection of the Coastal Douglas-fir and Associated Ecosystems.

Asset Management Plans

Natural assets such as aquifers, forests, streams, riparian areas and fore-shores can provide municipalities with vital services equivalent to those from many engineered assets.

Asset management frameworks are an important tool for local governments to account for the ecological services provided by the natural areas of their region. Such programs can account for and raise the awareness of Ecosystem services provide by CDF ecosystems. [Municipal Natural Assets Initiative](#) is a not-for-profit enterprise that supports and guides local governments to identify, value, and account for natural assets in their financial planning and asset management programs.³⁵ The Islands Trust could team up with its Regional District partners to develop Natural Asset Management Plans for the Trust Area that focuses on the relationship between CDF zone forests and freshwater sustainability. The Bowen Island Municipality could do this on its own.

“ *The **Town of Gibsons** was the first municipality in North America to pass a municipal asset management policy. The policy explicitly defines and recognizes natural assets as an asset class and creates specific obligations to operate, maintain and replace natural assets alongside traditional capital assets. These obligations include having well-defined natural asset management strategies in place, as well as the financial resources to maintain them (Town of Gibsons).* ”

Valuing Ecological Services

- The City of Nanaimo estimates it would cost \$4.7 million to \$8.3 million to engineer a system to replicate the water storage and flood control services provided by Buttertubs Marsh, a 40-hectare wetland in Nanaimo.
- Two mature trees provide enough oxygen for one person to breathe over the course of a year.
- One large tree can capture and filter nearly 140,000 litres of water per year, protecting watersheds and filtering drinking water, avoiding or reducing the need for costly water treatment.
- In one year, a hectare of forest can absorb four times the carbon dioxide produced by an average car's annual mileage.

Sources: waterbucket.ca/gi/2018/04/29
americanforests.org/explore-forests/forest-facts/

Tree Protection Bylaws

While local governments cannot regulate forestry under the Forest Range and Practices Act (FRPA) and Private Managed Forest Land Act (PMFL), municipalities can adopt tree protection bylaws and can regulate, prohibit, and impose requirements by bylaw in relation to trees.

Tree protection bylaws usually apply to individual trees according to their species and diameter and can be bounded in defined areas. They can also include³⁶:

- Prohibitions on cutting trees in riparian corridors, environmentally sensitive areas, on floodplains, or in steep-slope areas;
- Prohibitions on cutting down significant trees or wildlife trees, or undertaking tree-damaging activities;
- Establishing a maximum cleared or non-treed area during development;
- Tree replacement standards that may be based on a ratio of trees

removed to replanted (i.e. 1:5) depending on the size of the tree removed, the species of tree, and the percentage canopy cover (i.e. 25 percent) that is retained on site;

A tree protection bylaw does not apply in every circumstance. If a permitted use or density under the zoning bylaw would be prohibited as a result of the tree protection bylaw, the property can be exempted.³⁷

“ This tree legislation addresses the concerns of municipalities and the public, who have been pressing for action as growth pressure in urban areas heightens the impact of tree removal on heritage, aesthetics, views and the environment. It was also developed in consultation with the Union of BC Municipalities, which has actively sought protection for trees in urban areas.

This amendment is an urban tree-cutting measure. The rural tree-cutting issue involves a greater complexity of interests including commercial, forestry, private land, local government, environmental and aboriginal interests. Although I support the desire for more control over tree-cutting in rural areas, this must be addressed in a broader process and in a coordinated and comprehensive way which is beyond the scope of this legislation.

My colleague the Minister of Forests is currently looking into the broader issues and will be seeking input from the various stakeholders, including regional districts and the Islands Trust, on the complex issue of logging on private land.

— Robin Blencoe, Minister of Municipal Affairs, 1992 at second reading of the bill introducing tree cutting powers to municipalities.

At this point in time, Local trust committees and Regional Districts do not have the authority to adopt tree protection bylaws, although it was considered at the time of the bill's introduction. In the *Denman Island Local*

Trust Committee v 4064 Ltd. Supreme Court decision, the judge found that the legislature had specifically authorized the regulation of tree cutting on private land in urban areas, but deliberately limited the power of regional districts and local trust committees to regulate tree cutting on private land in rural areas. Consideration of granting this authority to rural areas was put off for another day by the legislature in 1992. Reasons stated were due to the complexities involved in granting local governments the right to regulate tree removal in rural areas.³⁸

Municipal Forests

Division 5 of the Local Government Act gives municipalities the power to set aside land for a municipal forest reserve; this land can be managed or leased for forestry purposes. This authority gives municipalities the ability to self-manage forest operations within their boundaries.³⁹

Partnerships with Local Organizations and First Nations

There are many examples of local community groups working on the islands to protect land in the Coastal Douglas-fir zone. Indeed, the Islands Trust Conservancy almost always relies on community partnerships to help fundraise and raise awareness of the importance of land conservation. The best success stories usually involve leadership from community groups as well as local and provincial government partnerships.

There is opportunity for expanded collaboration with First Nations, regional districts and other government agencies. For example, Islands Trust could:

- Encourage regional district to consider the Regional Conservation Plan and protection of the CDF zone in their services and planning for expansion of the regional park systems.
- Build relationships with First Nations to support initiatives that have mutually beneficial objectives for CDF protection. For example, within

Squamish territory, Gambier Island is a candidate site under the Land Resource Management Plan and the Strategic Land Use Agreement (2007).

- Work with local fire departments to advance CDF restoration through fire protection planning and community forest maintenance programs that reduce the threat of wildfires. Islands Trust could use its coordination authority to coordinate youth group employment programs for fire suppression and restoration, while at the same time providing advocacy and land owner education on the value of the CDF zone.
- Strengthen engagement with the Provincial and Federal Governments to find opportunities for protection of the CDF zone. An example is the role Islands Trust staff had in supporting the recent Ministerial Order that has protected the CDF zone on Crown Land across the Trust Area (see next page).

“ [On Salt Spring Island,] an incredible community effort led by The Land Conservancy of BC and other local conservation groups involved over 1,000 donors and volunteers, and helped raise over \$20 million (about half from the NDP government of the day) to acquire all of Burgoyne Bay, and lands around Mt. Bruce and in the Maxwell Lake primary and secondary watersheds. CRD Parks was a major funding partner, acquiring hundreds of acres of green space (Holman, 2018).

Land owner stewardship

Landowner stewardship is the most important way to achieve protection of the Coastal Douglas-fir zone. With the majority of CDF land across the Trust Area privately held (68%), it is the residents and land owners who have the most responsibility and ability to carefully steward the CDF zone. Many special places on the islands are still special because of the care with which islanders take to preserving the land. The best examples are

those who voluntarily register covenants to ensure that their ecological stewardship is continued after they are gone. This culture of stewardship is cultivated by the local community groups and land conservancies, and by the Islands Trust Conservancy. As a tool for protection, voluntary land stewardship is already encouraged and needs to be supported by continued funding of outreach, education, and proactive communications. Contact programs for voluntary stewardship have been particularly effective, especially where there are partnerships with conservation groups.

Provincial Role

Crown Land

Across the Islands Trust Area, 14.19% of the land is considered Crown land. Some of this Crown land is leased under Tree Farm Licences to private companies for timber harvesting. Other crown land is held in reserve, or given protective status with land use orders. Recently, a number of Crown parcels in the CDF zone were protected by a Ministerial Order. The Islands Trust compiles [Crown Land Profiles](#) to record current knowledge regarding vacant Crown land parcels in the Islands Trust Area.

Forest Management

Relative to other regions in British Columbia, the Islands Trust Area has less crown lands subject to tree farm licences for commercial forestry, regulated by the [Forest & Range Practices Act \(FRPA\)](#). Crown Land represents only 14% of the Islands Trust Area, while private land extends over 68.6% of the landscape. Private land is not subject to FRPA; the Province does not have legislation that directly regulates forestry on private land. Forestry is exempt from local government regulation and there are few tools to use to protect the integrity of the forest from timber extraction.

Forestry cannot be regulated by local governments. A longstanding common law principle known as *profit à prendre* entrenches the rights of

people to extract profit from the natural resources of the land. Common law land ownership is typically characterized as a bundle of rights. These rights include the rights to use and occupy the land free from interference of non-owners, as well as the right to take or sever minerals, soil, trees and other resources from the land.

2018 Ministerial Order Protects CDF Zone on Crown Land

An additional 980.5 hectares of the Coastal Douglas-fir ecosystem has been protected in 19 land parcels near the communities of Bowser, Qualicum Beach, Nanoose Bay and Cedar on Vancouver Island, and on Galiano and Salt Spring islands. The final set of approved parcels was based on the results of public review and First Nations consultation. Some of the parcels are of interest to First Nations. The area of Coastal Douglas-fir ecosystem protected from logging now totals over 11,000 hectares. The protection has legal authority by way of amendment to the Coastal Douglas-fir Order under the Land Act. Under the Coastal Douglas-fir land-use order, the protected lands are managed for enhanced stewardship and conservation. ([Province of British Columbia](#), 2018).

This principle was referenced in the reasons for decisions in concluding the Denman Island Local Trust Committee reached beyond its authority in its attempt to regulate forest practices on private land using a development permit area. Both the BC Supreme Court and the Court of Appeal decided the development permit authority was not broad enough to allow the LTC to regulate forestry, in part because the enabling legislation did not indicate a clear intention to curtail or interfere with the common law right to extract timber.⁴⁰

As common law, the *profit à prendre* principle is not found in statute. It represents deeply held social constructs that favour the rights of individuals to exploit natural resources on private property. Even if societal attitudes towards the best use of land were to shift, it would likely take an act of the legislature rather than a court decision to overturn this principle.

Water Sustainability Act

The BC [Water Sustainability Act \(WSA\)](#) is provincial legislation that was brought into force in 2016. The WSA is the principal law for managing the diversion and use of water resources; its stated objective is “to ensure a sustainable supply of fresh, clean water that meets the needs of B.C. residents today and in the future.” The WSA includes a range of regulatory tools that are implemented by the Province, but also some that local governments can access to manage water resources within their jurisdictions. While this legislation does not provide specific tools and was not intended as a way to protect the forest ecosystems of the CDF zone, it does give Islands Trust tools to protect watersheds which in turn may result in greater CDF protection.

Coastal Douglas-fir Conservation Partnership

The Coastal Douglas-fir Conservation Partnership (CDFCP) provides a forum for collaboration, communication and action to effectively protect and steward Coastal Douglas-fir and associated ecosystems. The mission of the CDFCP is:

To promote the conservation and stewardship of the Coastal Douglas-fir and associated ecosystems in south-western British Columbia through sound science, shared information, supportive policies, and community education.

The CDFCP is comprised of a collaboration of agencies, organizations and land managers who are interested in promoting and protecting healthy Coastal Douglas-fir forests into the future. Land trusts, governments (federal, provincial, regional, municipal, and First Nations), environmental stewardship groups, resource industry professionals, private landowners and academic institutions are encouraged to become CDFCP participants or supporters. The CDFCP is led by a steering committee and supported by a series of working groups focused on different aspects of the CDFCP goals. The Islands Trust has been an active partner in the CDFCP and should continue to be engaged as part of its contribution towards CDF protection.





The tools available to the Islands Trust can achieve much greater protection of the Coastal Douglas-fir zone and associated ecosystems across the Trust Area.

Conclusion

The biggest threat to the CDF zone in the Islands Trust is the incremental fragmentation of the forest through rural and residential development. Islands Trust bodies can mitigate this by working together to and ensuring policy development achieves the following overall objectives:

- Maintain Contiguous Forest Cover
- Protect and Restore Functioning Ecosystems
- Protect Watershed Ecology
- Honour the Cultural Heritage of Coast Salish Stewardship

The tools available to the Islands Trust can achieve much greater protection of the Coastal Douglas-fir zone and associated ecosystems across the Trust Area. The recommended tools are suggested from the position that the best tools are the ones that are easiest to use and are most squarely within the jurisdiction of Islands Trust. Islands Trust and the Islands Trust Conservancy together have the authority to regulate land use, act as a land conservancy, and coordinate with other levels of government. The land use planning powers of local trust committees can be much more effectively used to protect this vulnerable ecosystem from rural sprawl and over-development. Islands Trust can also work collaboratively with community groups, conservation groups, and individuals to advance a broader set of tools for protection of the CDF Zone.

The report suggests a path for Trust Council, the Islands Trust Conservancy, and local trust committees to protect the CDF zone:

Essential Steps for Islands Trust to Protect the CDF Zone:

1. Trust Council Strategic Plan

Prioritise CDF protection in the Trust Council strategic plan to ensure resources support work plans that advance CDF protection

2. Implement the Regional Conservation Plan (RCP)

Adopt the RCP into OCPs with special emphasis on protecting contiguous forest and old growth within the Coastal Douglas-fir zone and associated ecosystems.

3. Mapping

Map contiguous tracks of the Coastal Douglas-fir zone and associated ecosystems.

4. LTC Top Priority

Local trust committees to make protection of Coastal Douglas-fir zone and associated ecosystems a top priority in their work plans. This will ensure staff and other resources are put to the task.

5. Education and Communications

Educate the public about the importance of CDF protection by incorporating a strong communications program into ITC conservation initiatives and into the land use planning process, especially when considering DPAs for CDF protection.

6. Official Community Plan Updates

Review OCPs for strong language that prioritises protection of the CDF zone in land use planning and honours the cultural heritage of Coast Salish stewardship.

7. Development Permit Areas

Create DPAs to protect the Coastal Douglas-fir zone and associated ecosystems.

8. Density bonus and amenity zoning

Create density bonus zones in exchange for CDF protection by way of a conservation covenant; identify protection of the CDF zone as an amenity to be voluntarily offered at time of rezoning.

9. Park dedication

Amend OCPs to include language directing the provision of land rather than cash in lieu at time of park dedication in the subdivision process. Include language guiding LTCs to request land where there are priority areas in the CDF zone. Advocate for other levels of government to protect more of the CDF zone as park land.

10. Tax Incentives

Tailor the NAPTEP program to highlight and prioritise the CDF zone in ITC conservation goals.

11. Partnerships

Continue to participate and be an active member of the Coastal Douglas-fir Conservation Partnership.

Resources

There are a number of resources and other tool kits available designed to assist local governments in planning for conservation:

- The [Green Bylaws Toolkit](#) was updated in 2016. It provides a comprehensive resource and local government planning guide.
- The BC Ministry of Environment's [Develop with Care](#) and Best Management Practices (BMPs).
- The [Coastal Douglas-fir Conservation Partnership](#) has a number of resources including a more general tool kit on protection of the Coastal Douglas-fir Zone.
- The [South Coast Conservation Program \(SCCP\)](#) works towards the protection and restoration of species and ecosystems at risk and has developed many resources for local governments.



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Appendix 1: Legislative and Governance Context

The Islands Trust is governed by the [Islands Trust Act](#) (ITA) which:

- Establishes and confers responsibilities and powers on the corporate bodies of the Islands Trust:
 - *trust council*
 - *the executive committee*
 - *a local trust committee and the*
 - *Islands Trust Conservancy.*
- Identifies the Islands Trust Area and the "[object](#)" (mandate) of the Islands Trust
- Transfers land use planning powers from Regional Districts to Local Trust Committees
- Prohibits a Regional District from adopting bylaws, issuing permits or undertaking work contrary to a Local Trust Committee bylaw
- Establishes the relationship with Island Municipalities
- Guides some governance procedures
- Provides for budget and requisition of taxes

The Islands Trust 'Object'

The object is spelled out in the [Islands Trust Act](#) and provides the 'purpose' for all Islands Trust corporate bodies.

The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with

municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

Trust Council

The electors of each Local Trust Area elect two local trustees to form each local trust committee and to sit on Trust Council. Two municipal trustees are elected to represent Bowen Island Municipality. The 26 elected trustees of the Islands Trust Council are charged with conducting the financial management of Islands Trust (with the exception of the Islands Trust Conservancy) and with carrying out the provincial mandate to preserve and protect the Islands Trust Area. Section 8(2) of the ITA confers Trust Council with the powers to:

- a) acquire and dispose of land,
- b) coordinate and assist in the determination, implementation and carrying out of municipal, regional and improvement district and government of British Columbia policies for the preservation and protection of the trust area and its unique amenities and environment,
- c) make recommendations to the Islands Trust Conservancy respecting priorities for the acquisition, use and disposition of property by the Islands Trust Conservancy,
- d) make recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the government of land located in the trust area,
- e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its

unique amenities and environment,

- f) engage in activities to gain knowledge about the history and heritage of the trust area and to increase public awareness, understanding and appreciation of that history and heritage,
- g) conserve heritage property,
- h) support and give financial assistance to activities referred to in paragraphs (f) and (g) that are undertaken by others,
- i) recommend to a regional district board that it exercise its tax exemption authority under section 392 of the [Local Government Act](#) in relation to heritage property in the trust area, and
- j) assign duties to the executive committee and to the local trust committees.⁴¹

Executive Committee

The Executive Committee (EC) is comprised of the Trust Council chair and the vice chairs (who chair each local trust committee) and are elected by Trust Council at the beginning of each term. The duties of EC are to:

- a) consider land use bylaw amendments and official community plan amendments submitted to it for approval. Bylaw approval by EC involves consideration of whether the bylaws are consistent with the Islands Trust Policy Statement, as required under the ITA.
- b) act as a local trust committee for that part of the trust area that is not in a local trust area or a municipality (The [Ballenas-Winchelsea Islands Local Trust Area](#) is the only area of Islands Trust that falls into this category).
- c) carry out other duties that the trust council directs.⁴²

Local Trust Committees

Local trust committees (LTCs) are responsible for land use planning and regulation in each local trust area. The local trust committees' authority to enforce bylaws and regulate development and the use land comes from the *Islands Trust Act* and the [Local Government Act \(LGA\)](#). Part 14 of the LGA, "Planning and Land Use Management," establishes the land use planning tools and procedures available to local governments in BC. LTC responsibilities include preparation and adoption of official community plans, land use bylaws, which include zoning and subdivision regulations, soil removal and deposit bylaws, and authorization of other permits, such as siting and use permits or development permits in development permit areas.

Islands Trust Conservancy

Governed by the Islands Trust Conservancy Board, the Islands Trust Conservancy (formerly the Islands Trust Fund) is a regional land trust and is legally independent from the Islands Trust. Its vision is to create a network of protected areas in the islands so that Canada's Salish Sea is a vibrant tapestry of culture and ecology, and where viable ecosystems flourish alongside healthy island communities. The Islands Trust Conservancy is a qualified donee as defined by the Income Tax Act and can issue tax receipts for income tax purposes to individuals who donate land or cash to be used for conservation. The Islands Trust Conservancy achieves its mission by:

- Working with landowners to protect ecosystems on private property
- Building a strong conservation alliance in the islands by supporting local island conservancies, and
- Demonstrating the highest standards of land stewardship in its nature reserves.

Appendix 2: First Nations with Asserted Interests in the Trust Area

First Nations with Asserted Interests in the Trust Area: Listed Saanich Peninsula, south Vancouver Island, then northward on Vancouver Island. Then Mainland BC, north to south, then eastward.

WSÁNEĆ (Saanich) Peoples

- [Tsartlip First Nation](#)
- [Tsawout First Nation](#)
- [Tseycum First Nation](#)
- [Pauquachin First Nation](#)
- [Malahat Nation](#)

Lekwungen People

- [Songhees First Nation](#)
- [Esquimalt First Nation](#)
- [Beecher Bay \(Sc'ianew\) First Nation](#)
- [Sooke \(T'sou-ke\) First Nation](#)

[Squamish Nation](#)

[Musqueam Nation](#)

[Tsleil-waututh Nation](#)

[Hul'quimi'num Treaty Group](#)

- [Cowichan Tribes](#)
- [Halalt First Nation](#)
- [Penelakut Tribe](#)
- [Lyackson First Nation](#)
- [Lake Cowichan First Nation](#)
- [Chemainus \(Stz'uminus\) First Nation](#)

[Nanaimo \(Snuneymuxw\) First Nation](#)

[Nanoose \(Snaw-Naw-As\) First Nation](#)

[Qualicum First Nation](#)

[K'omoks First Nation](#)

[Campbell River \(Wei Wai Kum\) First Nation](#)

[Cape Mudge \(We Wai Kai\) Nation](#)

Mayne Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: September 24, 2018

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	May 2, 2011	MA-LTC-44-11	Options for adopting In Camera Minutes	It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public.
2.	February 1, 2012		Special Occasion Liquor License referrals	That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
3.	June 27, 2016	MA-LTC-2016-055	Statutory Public Notice Advertising	That the Mayne Island Local Trust Committee advertise all statutory public notices in the Mayne Limer
4.	June 26, 2017	MA-2017-027	Unlawful Dwelling Enforcement Policy	That the Mayne Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: 1.1. There is a complaint from an immediate neighbor; or, 1.2. There is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. 2. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.
5.	June 26, 2017	MA-2017-028	Unlawful STVR Enforcement policy	That the Mayne Island Local Trust Committee adopts the following resolution in regards to Bylaw Enforcement of Unlawful Short Term Vacation Rentals (USTVR): a) Given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Unlawful Short Term Vacation Rentals that have one or more of the following characteristics will be subject to proactive enforcement: i) they are advertised on the internet, newspapers or other media; ii) they are not managed by an owner of the USTVR property who lives on Mayne Island; iii) more than one dwelling on the lot is simultaneously made available for USTVR; iv) while the property is used as a USTVR, persons are permitted to stay in tents or trailers; v) there are issues related to health and safety on the property; vi) there is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the USTVR; vii) the owner of the property uses more than one property on Mayne Island as a USTVR.

No	Meeting Date	Resolution No.	Issue	Policy and Description
				b) Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.
6.	September 24, 2018		Cannabis Retail Referrals	- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - How public comments may be submitted to the local trust committee